
Committee on the Elimination of
Discrimination against Women
Fourth session

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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Yugoslavia

Initial report

232. The Committee considered the initial report of Yugoslavia (CEDAW/C/5/Add.18) at its 52nd and 56th meetings, on 24 and 28 January 1985 (CEDAW/C/SR.52, 56 and 63).

233. The report was introduced by the representative of the State party who said that it covered the period up to 1981/82 and discussed problems relating to the economic situation of the country.

234. He explained that Yugoslavia had complied with all the social, economic and political prerequisites to ensure equality of the two sexes in social, economic and political life. He further explained that his country was aware that legal equality of rights between the sexes was not necessarily always a guarantee of their actual equality, on a day-to-day basis.

235. He referred to the impact of traditional factors that affected the level of employment and other roles of women in society. He said that the country's policy of accelerated socio-economic development had become the most important factor in progress towards a more satisfactory, more equitable and more active position of women in society.

236. The representative of Yugoslavia informed the Committee that in 1978 the Assembly of the Socialist Federal Republic of Yugoslavia had adopted a resolution on the basic guidelines for social action with a view to promoting the socio-economic status and the role of women in a socialist self-managed society. The resolution also gave the basic lines of social action with a view to more comprehensive education, employment of women and the improvement of the social status of women in rural areas. He stated that the implementation of the resolution was reviewed every two years on the basis of reports. One of which was submitted in 1980 and the other one was being prepared.

237. The second part of the introduction of the report was made by the President of the Committee for Labor of Yugoslavia, who stated that steps had been taken to implement the Convention. Amendments and supplements to the laws had been adopted, in such areas as labour relations, disability pension coverage, job placement, intermediate and higher education. She further explained that a law limiting the work week to less than 42 hours in industries with less favourable working conditions (e.g. textile, chemical and leather industries where female workers were most numerous) will soon be adopted.

238. The representative of Yugoslavia also stated that it was considered that matters such as certain bans on night work for women had to be carefully reviewed with a view to applying that kind of prohibition when necessary and when it could be determined that its application would not represent a form of discrimination against women.

239. With regard to retirement, the representative of Yugoslavia stated that a previous law, found to be unconstitutional, had recently been amended to allow women to retire on pension after 35 years of work, as before, but with the right to work a full 40 years in the same way as men.

240. The representative of Yugoslavia emphasized that all Yugoslav legislation, the federal Constitution of Yugoslavia and the constitutions of the Socialist Republics and autonomous provinces were fully in accord with the Convention. She regretted that despite the positive achievements to which she had referred there were still numerous factors that continued to exert negative effects on the status and role of women, e.g. educational and vocational structures, the low level of female employment in the public sector, problems regarding maternity benefits and public care for children. She assured the Committee that many measures and initiatives were currently being taken to eliminate those negative factors within the country.

241. Experts thanked both representatives for their introduction of the report. Several experts expressed their appreciation for the information contained in the report and for the efforts made by Yugoslavia to comply with the Convention's articles. In response to the introductory statement, some experts felt that the report contained few statistical data on education, employment, health, etc. Additional statistical data was provided later that day to update and complete information contained in the report.

242. One expert asked why it was deemed unnecessary to have any institutions or party mechanism for the promotion of women's rights.
243. Clarification was sought on "humanization of relationship between the sexes".
244. One expert asked for further explanation regarding the statement in the report that any permanent union of persons living together, where a parent or an adult looked after children, was considered to be a family. Another expert commented on this statement.
245. One expert sought clarification regarding the part of the report on the protection of women from trafficking and exploitation.
246. Some experts noted that despite the fact that the Constitutions contained provisions to ensure full equality of the sexes in voting and public referenda as well as the possibility of being elected to all bodies, the participation of women in political life remained very low. Experts requested data on the participation in council and local communities, which was later supplied by the representative of Yugoslavia. Another question was raised about ways in which Yugoslav women participated in the struggle for peace. Another expert requested clarification of women and the military service.
247. Some experts wanted to know why statistical data on men's participation in political assemblies were lacking, and how women were represented compared with men in leading bodies of different organizations such as the League of Communists and the Socialist Alliance. Others asked whether Yugoslavia had undertaken specific measures to increase the proportion of women in political life and also about the active participation of women in public organizations.
248. Some of the experts were concerned about the number of women working in diplomatic service, including diplomatic and consular mission abroad: 174 women compared to 967 men. The experts asked what was required for women to join the diplomatic service.
249. One expert wanted to know whether nationality and citizenship were the same thing in Yugoslavia and what were the provisions in that respect.
250. Referring to education, some experts wanted to know the proportion of girls and boys attending technical colleges. There was a request for additional statistical data on the proportion of girls attending schools, technical colleges and universities of all kinds. Information was sought on the educational steps taken to end discrimination against women and about discrimination that might be found in local customs and traditions.
251. Some experts asked about the employment situation for women compared with men and the sanctions in cases of violations of employment rights. Others asked what were the criteria used to evaluate the quality and quantity of work in order to determine correct remuneration, and requested statistical breakdown of wages. One expert noted the data on the qualification pattern of women employed in the social sector as contained in the report and asked how such a percentage had been reached.
252. It was noted with satisfaction that Yugoslavia had adopted a new approach towards protective legislation, such as prohibition of night work only for women

and that there had been changes in legislation in order to close the gap with regard to retirement ages for women and men.

253. More information was requested about the Penal Code concerning the rights of individuals for freedom of trade and free employment. A few experts wanted to know whether there had been instances of violations and, if so, what kind of action had been taken.

254. Information was requested about the amount of time husbands devoted to household work compared to women and about whether rural areas differed from urban areas. One expert stated that in rural areas women were reported to have an extremely heavy work-load and asked what measures were planned to ease their burden.

255. Noting the attention paid in the report to the concept of equality in public life, work and the family, a few experts wanted to know what was done not only to promote better conditions for women but also to encourage men to perform the role of caretakers in the family. One expert wanted to know whether only mothers were considered to be capable of caring for children.

256. Some experts wanted to know whether there were any statistics as to how many women changed their names and how many men took their wives' names, since a woman could choose by law to keep her maiden name or to take her husband's name after marriage. Clarification concerning the names of children was requested.

257. One expert wanted to know the minimum age for marriage for women and men and the divorce rates. Other questions were whether marriages were common in Yugoslavia and the number of single mothers. One expert asked about the required age for women and men to adopt children.

258. Referring to the law of the Socialist Republic of Croatia prohibiting a husband from initiating divorce proceedings while his wife was pregnant or until their child reached a certain age without prior consent of the wife and the law of the Socialist Republic of Serbia restricting the right of the mother to initiate divorce proceedings while she was pregnant, one expert wanted to know what happened when the wife was in great conflict with her husband.

259. One expert specifically wanted to know about the position of women migrant workers and the problems they encountered when they returned, such as for example, difficulties in finding employment.

260. The representative explained that the Yugoslav Constitution was based upon the recognition of men and women alike as productive and creative individuals and precluded all forms of exploitation, whether of men or of women.

261. The representative pointed out that the Yugoslav economic system was based on free associated labour, whereby the public sector was predominant. In 1947 the public sector accounted for 49 per cent of the gross national product, in 1959 for 62 per cent, in 1967 for 77 per cent and in 1974 for approximately 81 per cent. By 1974 some 3 million persons had moved from rural areas to the cities, where approximately 45 per cent of the country's inhabitants lived and worked (in 1953 the figure was 22 per cent). The proportion of the agricultural population had declined from 67 per cent in 1948 to 31 per cent in 1977 and the trend was continuing in that direction.

262. Legislative jurisdiction was divided between the Federation six republics and three autonomous provinces. The legislative organs of the Federation were confined to regulating the basic rights of all employees and the basic rights of the working people with a view to ensuring their social security and solidarity. Regulations relevant to women on marriage and family relations, health care, social welfare and education were made by the republics and provinces through their laws. The representative explained that the Federal Assembly adopted two resolutions that were important for women's status: a resolution on Family Planning, 1969, and another on Social Welfare, 1970.
263. The representative explained that there were no registered cases of white slave traffic in Yugoslavia; prostitution, where it existed, was not organized but was primarily a matter of personal decisions of particular women and did not represent a serious social problem.
264. Replying to the questions concerning Yugoslavia's political system, she explained the delegation system operating in Yugoslavia and showed a diagram illustrating the number of delegates, of whom 26 per cent in 1962 had been women. Women comprised 44.82 per cent of the membership of workers' councils. Lastly, she said that criminal law in Yugoslavia was treating equally women and men.
265. She informed the Committee that women represented 44 per cent of the deputies of the workers' councils, 26 per cent of delegates to basic organizations and about 35 to 36 per cent of the country's work-force. At the federal republic and autonomous territorial levels, a strengthening could be observed in the overall framework for development; for example, there had been a 4 per cent increase in industry and a 3 per cent rise in employment.
266. Replying to the question on participation of women in diplomatic services, the representative explained that the Foreign Service had always been and was open to women at all levels. The country had women ambassadors (in Finland, Morocco, Norway, Sri Lanka and Switzerland), consuls-general (Geneva), assistants or counsellors to the Federal Secretary for Foreign Affairs and heads or members of important delegations sent abroad. Women also made a substantial part of various bodies involved with the elaboration of foreign policy.
267. In 1976, 95 per cent of the population enjoyed elementary education, which was compulsory for eight years of school. The figures for secondary and higher education were 46 per cent and 7.6 per cent, respectively. An average of 180 doctorates and 618 masters degrees a year were obtained by women. On the issue of illiteracy, she said that 54 per cent of Yugoslav women had been illiterate in 1934, 30 per cent in 1961 and 14.7 per cent in 1981; the corresponding percentage among men in 1981 was 4.1 per cent. The proportion was high, but figures were available to show that illiteracy was now confined to women aged 40 or more.
268. On the subject of unemployment, she said that the situation varied from province to province. In Slovenia, women made up 44 per cent of the labour force, in Kosovo only 20 per cent. Some 71 per cent of the country's total labour force was employed in production of various kinds and 29 per cent in public services such as health and education; 60 per cent of those employed in public services were women. A total of 35 per cent of Yugoslav women were employed.
269. The statutory working week in Yugoslavia was 42 hours. Maternity leave varied from 3 to 12 months depending on the republic. Annual leave was granted at the

rate of 1.5 days per month. Workers under the age of 18 were allowed an additional week a year. Annual leave could also be extended in the light of such factors as health, family conditions such as single parenthood and working conditions.

270. With regard to agriculture, she said that women accounted for 42 per cent of the agricultural work-force. Private land holdings in Yugoslavia were limited to 10 hectares, except in mountainous and high-altitude regions, where they could be larger.

271. She said that the number of doctors, hospitals and clinics in rural areas was steadily increasing. Turning to the question of family relations, she also said that women's increasing and economic independence was altering traditional attitudes.

272. In reply to the question on the definition of the family in Yugoslavia, the representative explained the generally accepted principle in Yugoslav society was that any permanent union of persons of different sex living together where a parent or an adult looked after the children was considered a family.

273. Many activities were pursued to develop more human relations between the sexes such as educational programmes on family life to encourage responsibility and socially active parenthood.

274. As regards the issue of family planning, the representative pointed out that the right to health care and to freely decide on family planning had been spelled out by the Constitution and the constitutions of all republics and autonomous provinces.

275. Children born out of wedlock had the same rights and duties as children born in wedlock.

276. Guardianship, the representative explained, was regulated by statutory provisions that accorded protection to minors deprived of parental care as well as to a certain category of adult with a view to protecting their personalities. Another purpose of guardianship was to ensure the observance of property and other rights and interests of the wards. Property related matters that the guardian may deal with on behalf of a ward were precisely spelled out.

277. As concerns property in marriage, the representative explained that according to family legislation there were two categories: the separate property of each spouse and common property, the latter being the property acquired during marriage. Spouses managed and disposed of that property together and in agreement. Upon divorce, the size of the share of each spouse was determined either by agreement or by a court of law.

278. On the question of the age of marriage, the representative said that the laws of all federal units set 18 years as the age; however, a lower limit of 16 and 14 years had been prescribed in case of emergency, e.g. pregnancy. Spouses may agree to take the surname of either spouse or their own surnames, or to add the surname of one spouse to the surname of the other.

279. On the issue on women migrant workers, the representative explained that at the moment women represented about one third of the total number of Yugoslav migrant workers abroad. The number of emigrant workers dropped from 750,000 in

1981 to about 600,000 at the end of 1983. About 500,000 family members of workers lived abroad, of whom roughly 250,000 were younger than 18 years. The position of migrant women was determined by the Act on Protection of Yugoslav citizens working temporarily abroad (1980). The representative said that the Government was suggesting co-operation with countries of immigration by creating new jobs in Yugoslavia for returning migrants in the small-scale industries.

280. The representative explained that 1,700,000 Yugoslavs (11 per cent of the pre-war population) lost their lives in the Second World War, among them a great many women. As illustration, he cited that more than 100,000 women participated in partisan units; more than 25,000 women were killed in action, 40,000 were wounded and some 3,000 remained physically disabled. Some 2,000 were promoted to the rank of officer. More than 280,000 women were sent to Nazi concentration camps. Some 85 women were decorated with the order of National Heroes, the highest Yugoslav award as a symbol of gallantry. He also referred to the Act of Military Services introduced in 1980, which stipulated that women could enlist in the army under the same conditions as men, and some 3,000 of them actually served in the army.