

PN-AA1-180

ISN 29856



**WORLD
POPULATION
CONFERENCE**

**BUCHAREST, Romania
19-30 August 1974**

**Distr.
GENERAL**

ORIGINAL: ENGLISH

LAW AND POPULATION

**STATEMENT TO THE WORLD POPULATION CONFERENCE
FROM THE
INTERNATIONAL ADVISORY COMMITTEE ON POPULATION AND LAW**

(A non-governmental organization on the roster of the Economic and Social Council)

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. LAW AND POPULATION PROJECTS IN VARIOUS COUNTRIES	2
III. THE UNESCO WORKSHOP ON THE TEACHING OF POPULATION DYNAMICS IN LAW SCHOOLS, PARIS, FEBRUARY 1974	3
IV. THE SYMPOSIUM ON LAW AND POPULATION, TUNIS, JUNE 1974*	6
V. FUTURE PROGRAM OF WORK	13
VI. CONCLUSIONS	15
APPENDIX - PROFILES OF THE LAW AND POPULATION PROJECTS IN VARIOUS COUNTRIES	17

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The views expressed at the Symposium in Tunis are those of its participants and do not necessarily reflect the views of the United Nations Fund for Population Activities or of the other international organizations which organized the Symposium.

Statement to the World Population Conference

from the

International Advisory Committee on Population and Law

I. INTRODUCTION

The International Advisory Committee on Population and Law* is a non-governmental organization accredited to the Economic and Social Council. Its membership consists of some thirty-five experts from fourteen countries, covering the major regions of the world.

The Committee meets about once a year and is served by a secretariat located at the Law and Population Programme of the Fletcher School of Law and Diplomacy, Tufts University, Medford, Massachusetts. (The School is administered in cooperation with Harvard University.)

The purpose of the Committee is to promote the study of the legal aspects of population and stimulate awareness and understanding of the interrelation of laws and population. Among the particular activities under its supervision are:

Stimulation of interest in, and awareness of, population problems among lawyers generally, and exchange of ideas among lawyers in different countries;

Collection and analysis of laws, regulations and judicial decisions that affect directly or indirectly population and family planning;

Establishing, and cooperating with, projects in individual countries for the compilation and review of domestic laws and regulations in the light of U.N. declarations (For a statement on the activities in each country, see Annex A);

In-depth studies to investigate how law affects fertility behavior, and vice-versa;

Capacity study of U.N. organizations in population and family planning;

Preparation of text books and model codes on population and family planning;

Providing reference services and other assistance on legal matters pertaining to population to U.N. organizations, governments, non-governmental organizations and individuals;

Conducting of interdisciplinary seminars on law and population;

* IACPL

Assisting IPPF* in promoting a legal approach to population and family planning among its constituent family planning associations;

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Cooperating with UNESCO in conducting an inter-regional workshop to develop a suitable textbook on law and population for the use of law schools;

Cooperating with UNFPA in holding a Symposium on Law and Population in Tunis;

Publication of a book and monograph series (for the titles of which see Annex B); and

Planning for a Legislative Series on Population Laws, which would, by periodic publication, keep the governments, institutions and individuals interested in the field apprized of legislative changes throughout the world.

II. LAW AND POPULATION PROJECTS IN VARIOUS COUNTRIES

A total of twenty-four Law and Population projects have been started (See Annex A). Most of the projects have been funded by the United Nations Fund for Population Activities, while six are being funded by the International Planned Parenthood Federation and other interested institutions. Of these, six have been completed, or virtually completed. These are:

Costa Rica	Mexico
Indonesia	Philippines
Lebanon	Sri Lanka

In these six countries, a full compilation of their laws affecting population, directly or indirectly, has been made, following a uniform classification plan. In addition, seminars have been organized at which the compilations were reviewed in the light of the human rights principles as adopted in the various United Nations declarations. Recommendations were then made to the Governments concerned. In a number of cases, laws have been changed pursuant to these recommendations, while in others, the Governments concerned have established official committees for the serious study of the recommendations, with a view to the possible altering of their laws. Monographs covering the laws, seminar conclusions, and recommendations have been published or are in preparation.

In seven more countries the compilation stage has been completed.

Brazil	Iran
Chile	Pakistan
Egypt	Turkey
Ghana	

* The International Planned Parenthood Federation

** The United Nations Educational, Scientific and Cultural Organization

*** United Nations Fund for Population Activities

Steps are now under way to submit these compilations to review by legal, social-science and governmental experts.

In Ethiopia, Kenya, South Korea, Malaysia, Morocco, Nigeria, Romania, Singapore, Thailand, Togo, and Tunisia, the compilation activities are in various stages of development.

It is understood that similar projects are now under serious consideration in as many as ten additional countries.

III. THE UNESCO WORKSHOP ON THE TEACHING OF POPULATION DYNAMICS IN LAW SCHOOLS

As one of its contributions to World Population Year, 1974, the United Nations Educational, Scientific and Cultural Organization (UNESCO) organized, with the help of the Law and Population Programme, a seminar in Paris in February 1974, designed to develop materials which might be included in a text book on population dynamics for use in law schools. The seminar was attended by forty experts, coming from thirty countries. Many of these were Directors or participants in the various country projects. Eight background papers were presented covering economic, sociological, political, demographic, educational, psychological, and medical aspects of the problem. The discussion gave rise to concrete suggestions as to the need for revision of the laws in many countries.

Although no formal conclusions or recommendations were made, the discussions centered around the background papers, and brought out the following principal points:

1. Population Law

Law is a basic factor, often overlooked, which influences the fertility behavior of people, and which must be considered in formulating a country's population policy. It is often out of date and in conflict with a government's declared population policy. Lawyers in each country should become interested in the field and seek the adoption of modern population laws as a part of their countries' development plans. There is a growing awareness of the importance of the field, as is shown by the increasing recognition of the subject of "Population Law."

As to the human rights aspect, whether or not UN-declared human rights are accepted as legally binding on member governments, every government has a legal duty not to adopt laws contrary to such rights.

There is, however, a possibility of conflict between the human rights of parents to have the number of children they want and a government's need to take strong action in the face of pressing population pressures. This raises the question of motivation, incentives, coercion and the right of privacy.

2. Economic Aspects

In the developing countries, a slowing of population growth would promote economic development over the next 40 to 50 years. However, over a long period of time a slowing of growth might not necessarily be desirable from an economic point of view. Countries with pressing development problems would probably not be concerned with the latter consideration.

As to economic incentives, they do not seem to exert much influence unless they are substantial in terms of the country's living standards. Thus, they are more apt to be effective in countries with lower living standards. The use of incentives may involve certain ethical considerations.

Concern was expressed that technological development was creating unemployment at the very time that population growth is creating more need for employment opportunity.

3. Sociological Aspects

The effects of specific laws on fertility behavior is a new field which demands a lot of original sociological research. In particular, the following questions need study: how to make the right of privacy available to rural women; can population problems be solved by persuasion and motivation, or will coercion be required; what is the optimum number of children in a given society; and what is the best way to provide population education.

As to marriage laws, there was a general feeling that equal rights for women were important in regard to population growth. Sociology is needed in determining the effect of a given marriage law on fertility. Inheritance laws were extremely important in several countries as inducing a male preference in families.

Sociology was needed in determining the effect of education, family allowances and polygamy laws. Sociologists must also advise on the degree of effect a law might have.

4. Political Science Aspects

As to the question of government intervention in this field, it was pointed out that distinctions must be made between family planning, (involving a personal human right) and population control (a field of governmental interest). When law defines a "family", it may be necessary to make clear who in the family is involved. For example, should minors have access to contraceptives without parental consent?

There are many different human rights involved in fertility. These include such UN-recognized rights as the right to sexual equality, the right to education, the right to work, the right to social security, etc. There was a general view that governments must attempt to set priorities among these rights.

5. Demographic Aspects

It was generally agreed that countries need to set up suitable population policies. Accordingly, lawyers involved with these policies should have an understanding of demographic indicators, demographic history and the reasons behind demographic developments.

On the other hand, whereas one or two participants indicated that their

institutions might be able to give a special course on population law and demography, most of the participants felt their curricula were already overburdened. Thus, the majority felt that the best arrangement would be to introduce demographic and population law materials into their existing curricula. Courses in demography and population law might, however, be given in social science curricula outside of law schools, and made specially available to law students. A suggestion was made that "readings in population and law" might be given to law students without a formal course.

6. Educational Aspects

In view of the importance of population education, each government should consider the possibility of offering inter-disciplinary seminars at the university level, and should consider making some education in the field compulsory to the extent the culture will permit it. Governments need a national policy on the role and responsibility of education in this field, and it should include the question of what the content of the courses should be.

There was discussion of the role of the family in providing sex education and of the need for adults to receive training themselves so that they could teach their children. No matter how population and sex education were to be given, it was important to train the teachers in advance.

In view of the need for population and sex education, various participants stressed the need to try newly developed teaching techniques, the use of the mass media, and the importance of coping with old taboos which would have to go.

There was considerable discussion of the effect of general education on fertility behavior. Although all agreed that education does reduce fertility, it was not clear what was the degree of education needed to have this effect.

7. Psychological Aspects

Psychologists were called on to answer a number of questions in the population field, including: how do you create motivation for family planning; the relation of the sex drive to fertility behavior; how to provide a feeling of achievement for women other than by having a large family; and how to "put across" the family planning message. Some participants called on psychologists to help with understanding KAP studies, and why respondents answered questions as they did.

On the subject of morality in the fertility field, several questions were raised, such as whether sexual abstinence could be made to work; whether the availability of contraceptives made young persons act "immorally"; and, whether abortion could be considered "immoral" in the light of the fact that women seeking abortions are rarely associated with any other type of "anti-social" behavior.

8. Public Health Aspects

It is not necessary to talk about the need for coercion in order to force down fertility, in view of the fact that most countries have so many restrictions on family planning under obsolete laws that voluntary family planning has not been given a chance. Countries concerned with population pressures should consider the revision of present laws on contraception, voluntary sterilization, abortion, and the greater use of professional paramedical and auxiliary health personnel.

As to abortion law revision, a number of participants felt that it would not be feasible at present in their countries, and in any case, it should be regarded only as a backstop in case contraception fails.

As to the need for the clarification of the liability of manufacturers of new contraceptives which may be found to have undesirable side-effects, there was no agreement except that this is becoming a very important problem which may be holding up research and distribution of much needed products. All agreed that the problem does need clarification, and that increased commercial distribution should be encouraged.

* * * * *

At the end of the workshop, it was clear that a new field of law, known as "Population Law" had emerged and would obtain increasing recognition. UNESCO assured the participants that it would make efforts to produce a text book which, though aimed primarily at law professors, would be useful for other disciplines and for other higher education institutions. The book would be neutral in regard to pro- or anti-natalism.

IV. SYMPOSIUM ON LAW AND POPULATION, IN TUNIS, JUNE 1974

Since the country projects were coming to maturity in many countries (see above), the time had come for an exchange of experiences and exploration of the existence of common features in their legal systems related to population. There was need also to take cognizance of modern world trends, to stimulate interest on the part of other countries, and to develop guidelines for the review and revision of national legislation in the light of population policies and human rights. Accordingly, the United Nations Fund for Population Activities, in cooperation with the United Nations itself, the International Planned Parenthood Federation, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the International Labor Organization, the International Advisory Committee on Population and Law, and the National Office of Family Planning and Population of Tunisia organized a Symposium on Law and Population in Tunis on 17-21 June 1974, as a World Population Year event. President Habib Bourguiba gave the Symposium his personal patronage.

The Symposium was attended by more than a hundred experts from fifty countries. Although the majority of the participants were lawyers, there were many physicians, demographers, sociologists, economists, theologians and political scientists present. The participants attended the Symposium in their individual capacities and not as representatives of their governments or organizations.

The agenda included a consideration of laws on the following subjects: status of women; incentives and disincentives to child-bearing; other socio-economic laws affecting demographic evolution (such as education, social security, child labor, etc.); family relations (age of marriage, divorce, etc.); contraception; role of professional para-medical and auxiliary health workers; voluntary sterilization; and post-conceptive regulation (including abortion and menstrual regulation). The Symposium also discussed the rôle of national and local governments in the population field, as well as the role of international organizations.

The Symposium operated through a series of workshops which discussed specific subjects in connection with each area of the law, along the following lines:

1. Status of Women

The background paper, prepared by Mrs. Vida Tomsic, entitled "Status of Women, Family Planning and Population Dynamics," served as the basis for discussion during the workshop session. The workshop considered at some length property rights. Initial reference was made to the multitude of United Nations declarations and covenants which proceed from the basic principle that women are to be accorded a status equal to that enjoyed by men in these vital areas. Though international standards for equality have theoretically been established, the session noted that many forms of discrimination still exist in fact throughout the world.

The participants stressed the importance of education in enabling women properly to exercise the right to determine the number and spacing of their children and to participate fully in society. (Considerable time was devoted to the barriers which illiteracy poses to any improvement in the status of women.) It was emphasized that if habits are to be changed, some sort of instruction, be it formal or informal, must be afforded to women in order to inform them of the choices available to them in the area of family planning and their other roles in society. While noting that other socio-economic factors also affect fertility, the workshop agreed that there is a correlation between educational level and fertility.

The workshop then exchanged views concerning the relationship of economics to the status of women. Many of the participants expressed concern over the fact that while laws may give women the right of full participation in the economic sector, they are often unable to do so because of traditional preference for men. Reference was then made to the desirability of allowing women to play a more active role in the entire development process, particularly in the economy, by removing barriers which frustrate this goal. The workshop discussed the usefulness of including all people in the decision-making process.

In a similar vein, the workshop emphasized the relationship which exists between the status of women under the civil law, on one hand, and the composition and size of their families on the other. In this regard it was noted that in many cases civil status precludes women from taking advantage of the opportunities to practice family planning, and that one of the problems in this area was the fact that many women are not aware of their rights.

The final discussions were on the desirability that existing conventions which concern the status of women be ratified; that women share, on an equal basis with men, in the planning and policy-making in all questions concerning the development of a country, including the question of population; that use be made of international assistance organizations in developing specific programmes; and that laws, regulations and customs which affect the status of women be reviewed and brought into conformity with human rights principles.

2. Incentives and Disincentives

The use of incentives and disincentives in the context of family planning programs was discussed on the basis of a background paper written by V.I. Chacko, Chief Executive and Advisor, United Tea Planters' Association of Southern India. The working group considered examples of incentives and disincentives used as part of national efforts to promote family planning in several countries, but recognized that this experience would not necessarily be relevant in all countries. In some countries the main problem would be to make the full range of family planning services freely and effectively available to all persons. A high priority in such countries, therefore, would be to provide full access to the services. In other countries, in which the use of incentives and disincentives is considered necessary, the view was expressed that not enough was known about the actual effect of particular measures in differing social and cultural contexts. Based upon the positive experience in some countries, however, it was concluded that the use of incentives and disincentives should not be excluded. If used, however, the value system and mores prevailing in the society must be taken into account.

In considering the human rights aspects of incentives and disincentives, the workshop recognized that care must be taken to ensure that the benefits or services provided as incentives to family planning be in addition to the benefits and services to which all persons are entitled as basic human rights. Similarly, the benefits or services withheld or withdrawn as disincentives against large families should not conflict with the enjoyment of basic human rights.

3. Socio-Economic Laws Affecting Demographic Evolution

The workshop discussed a background paper prepared by Judge Paraiso of the Dahomey Supreme Court. It concluded that pursuant to the United Nations Declaration on Social Programs and Development, family planning information should be made available to all, and that the present restrictions which exist in many countries should be withdrawn. With regard to compulsory education and child labor, the two were considered as inseparably linked. In the light of their direct relation to population, governments might wish to provide for free compulsory elementary education and a minimum working age of not less than thirteen.

There was considerable discussion of the degree of relationship between the level of women's education and fertility, but all the participants agreed that the relationship exists.

Since the existence of official social security schemes was recognized as having a significant effect on the motivation of parents to have small or large families, governments might consider putting into effect the social security provisions of the Universal Declaration on Human Rights in a manner appropriate to the conditions of their countries.

Finally, since an awareness on the part of the general population of improved chances for child survival was recognized as having a profound effect on motivation, governments might also consider the implementation of the provisions of the UN Declaration on the Rights of the Child as to pre- and post-natal child care.

The Symposium also discussed briefly the ILO conventions and recommendations as to the treatment of migrants.

4. Family Relations Laws

The relationship between family relations laws and the achievement of national population policies was discussed on the basis of a background paper written by Mrs. Nani Soewondo, Chairman of the Legal Committee of the Indonesian Planned Parenthood Association. Although divergent views were expressed concerning such basic questions as the relationship between national laws and religious laws, and the extent to which the legal process should be used to bring about, or merely reflect, social change, it was agreed that national family relations laws do significantly affect the achievement of national population policies and might therefore be reviewed and clarified so as to be consistent with national population policies and the relevant United Nations declarations.

In this light, the workshop group explored a number of questions relating to marriage and divorce, the position of divorced women, and the rights of the child in particular national contexts. Mindful of the diversity of national cultures and traditions on such questions, the workshop discussed the need for ratification of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages; for the review of existing laws on the minimum marriage age; and for the establishment of effective systems for the registration of births. The Symposium discussed the possibility that the minimum marriage age be set at no less than eighteen years.

Noting the recognition in United Nations instruments of the equal rights of men and women "as to marriage, during marriage and at its dissolution," the workshop discussed the possibility that governments might take steps to clarify their laws to give effect to these principles, as well as to the principles contained in the United Nations Declaration on the Rights of the Child, which the workshop concluded would ensure that "every child is a wanted, and a protected child, whose best interests shall be the paramount consideration."

5. Laws on Contraception

The basic paper by Dr. Malcolm Potts of the IPPF describes a number of practical difficulties which are being encountered in efforts to make contraceptives generally available even in countries whose governments' express policies favor such distribution. The discussion concentrated on four main points, namely: the degree of medical supervision which should be required over the distribution of some types of contraceptive, particularly in countries where doctors are scarce; the clear preference in all countries for contraception as compared to abortion; the desirability of providing contraceptives as a normal part of public health services; and the moral importance of responsible parenthood and making parents realize that the act of conceiving must be a deliberate act. The workshop stressed the inconsistencies and lack of clarity of the law in nearly all countries and pointed out that governments which favor the general availability of contraceptives might wish to give attention to the following problems: obstacles to display, advertisement and sale; restrictions of sales to pharmacies only where this is required on health grounds; import restrictions; means of making the most advantageous use of the services of professional para-medical and auxiliary health personnel consistent with the requirements of public health; the need for internationally accepted guidelines in the training of such personnel; the coverage of contraception under official health insurance schemes; and the problem of liability of manufacturers in cases of adverse side effects from newly developed contraceptives, which often results in slowed research and high prices.

6. Voluntary Sterilization

The question of national laws bearing upon voluntary sterilization was discussed on the basis of a background paper written by Mrs. Harriet F. Pilpel, Counsel to the United States Planned Parenthood Federation, which pointed out that in most countries the law is unclear and needs clarification. The working group considered a number of basic questions that must be dealt with, including the need for a minimum age and a waiting period.

The workshop devoted special attention to the question of the need for the spouse's consent and the effect of voluntary sterilization upon the marriage relationship in differing social and cultural conditions. The Symposium also considered the nature of the fully informed consent that should be required prior to voluntary sterilization, and the role of governments in ensuring that such consent is present and that proper medical procedures and requirements are followed.

Taking into account the legal and cultural traditions and mores of the respective countries, the working group discussed the desirability that governments clarify their laws. If they should decide to make voluntary sterilization available for contraceptive purposes, they should consider the desirability that legally competent and fully informed consent be obtained, and that proper medical procedures and requirements be followed. The workshop also discussed the question of whether governments should ensure that neither criminal nor civil penalties or liabilities be imposed upon persons undergoing voluntary sterilization for contraceptive purposes or, except in cases of negligence, upon persons performing such sterilizations.

7. Laws on Post-Conceptive Regulations

The discussion was based on a background paper by Mme. Anne Marie Dourlen-Rollier, Secretary General of the National Association for the Study of Abortion in France. It centered on the following points: the proper relationship between family planning and abortion; the danger of later miscarriages which certain countries had found may occur in cases of repetitive abortion; the comparative safety of abortion in the early stages of pregnancy; and the requirement of the husband's consent in countries which authorize abortion. The working group stressed its strong preference for contraception as opposed to abortion, and discussed the desirability that women having abortions in the early stages of pregnancy not be dealt with under the penal codes, but be accorded humane treatment and effective contraceptive advice; that abortion, even after the early stages of pregnancy, be permitted at least to protect the life and health of the mother, to prevent the birth of defective offspring or in cases of rape or incest; that no individual be compelled to perform an abortion operation against his or her conscience; and that the new medical procedures of menstrual regulation should be dealt with separately from abortion.

8. Role of Professional Para-Medical and Auxiliary Workers

The discussion during the workshop session centered on the issues raised in the background paper prepared by Dr. Francis M. Shattock of the Liverpool School of Tropical Medicine. Repeated mention was made in the discussion of the urgent need for the improvement of maternal/child health services and the parallel need for increasing numbers of medical personnel. It was felt that one of the ways to solve this need might be to take more advantage of the abilities of professional para-medical and auxiliary health workers who are available in greater numbers than physicians in many countries. Their greater use in performing some surgical techniques related to family planning was suggested. A number of doctors present observed that these workers had been trained to perform these procedures and were being used in family planning programs in several countries.

The working group finally discussed the possible expansion of facilities and the development of guidelines for the training of professional, para-medical and auxiliary health workers in family planning services. It pointed out, however, that local circumstances must be taken into account in defining what type of roles this type of worker could fulfill.

9. Role of National Governments

The discussion was based on a background paper by Professor Elizabeth Odio of the University of Costa Rica. It was pointed out in the discussion that governments, in adopting a national population policy, should not consider such a policy as a substitute for economic development, but should provide for a fair distribution of income and for the other needs of their citizens. It was also pointed out in the discussion that a population policy must include, inter alia: the inclusion of family planning as a part of public health, the mobilization of private efforts, migration, the provision of a central governmental organization to coordinate the work, the amendment of obsolete laws, and enforcement provisions.

The working group discussed the desirability that governments formulate national population policies and coordinate the activities of the various Ministries in the field of population. It was felt that, as an aid in the performance of this task, governments might wish to undertake or encourage the undertaking of the compilation, review and revision of their laws in the light of population policies and human rights.

10. Role of Local Governments

The discussion was based on a background paper prepared by Mayor Reuben Canoy of the City of Cagayan de Oro in the Philippines. Several participants stressed the active role which local governments had played in various countries and the need for maximizing such a role throughout the world as a new dimension in a total approach to the population problem. The working group felt that local governments should be actively involved in the population field, utilizing to the maximum their personnel and resources in the fulfillment of national population policies.

11. Role of International Organizations

The subject was introduced by Professor John Humphrey of McGill University, formerly Director of the Human Rights Division of the United Nations. It was suggested that international organizations encourage and help governments to undertake the compilation, review and revision of their laws affecting population in the light of the successful experience which has already been obtained in this connection. It was also suggested that similar projects of law compilation, review and revision be undertaken in the field of the status of women during 1975, the International Women's Year.

Other activities which were suggested included the publication, on a regular basis, of a world legislative series on population, similar to the series on health law published by the World Health Organization, and the organization of law and population seminars and research on a regional basis.

At its final plenary session, the Symposium declared that it "adopted" the reports of the working groups which "reflected the discussions at the meeting." It added, however, that it realized that the views expressed

were not necessarily representative of the views or policies of the Organizations concerned in the United Nations system or of Governments and interested non-governmental organizations. The Symposium dealt with a number of issues on which relevant and reliable scientific information is incomplete or inconclusive. The meeting requested that the International Advisory Committee on Population and Law review the recommendations of the Symposium and decide to what extent they should, within the Committee's mandate, be adopted and submitted in an appropriate form for the consideration of Governments and organizations at the World Population Conference.

The IACPL decided to send this statement to the World Population Conference so as to inform it of recent developments in the law and population field.

V. FUTURE PROGRAM OF WORK

In view of the progress which has been made in generating awareness of the importance of law as a factor in population dynamics, and of the need to spread the movement for law compilation, review and revision to other countries, the IACPL plans to emphasize the following activities in the next two or three years, acting in close cooperation with related international organizations:

1. Organization of Law and Population Projects in Additional Countries

In view of the success so far achieved in a number of countries, and the indication that interest has been generated in at least ten more, the IACPL hopes to collaborate in organizing further country projects. It will profit by the experience so far gained, and will seek to stimulate regional cooperation in the organizing process. The experts who have carried out successful projects in their own countries will be encouraged to get in touch with their "opposite numbers" in neighboring countries where laws and problems are similar.

It is hoped that eventually all countries will be persuaded to carry out the compilation, review and revision of their laws affecting population in the light of population policies and human rights principles.

2. Laws Affecting the Status of Women

As 1975, the International Women's Year, approaches, it is opportune to take full advantage of the close connection between the status of women and population dynamics. Although the compilation and review of laws affecting population have already included much material on the status of women, this latter field will now be given increased emphasis, particularly in the fields of marriage and divorce, property rights, guardianship, inheritance, legal capacity, employment and education.

Three distinct but related activities are envisaged:

(a) a compilation of national legislation, decrees and judicial decisions which specifically discriminate against women--as an International Women's Year activity;

(b) a compilation of the laws of all countries bearing on the status of women--as a long-term project to be recommended to all governments or tied to the proposed Legislative Series on Population;

(c) a research on customary laws affecting the status of women in each region of the world--to be published in the Law and Population Monograph Series;

Country projects will be asked to consider particularly their laws on the status of women, and the help of the constituent Family Planning Associations of the IPPF will be enlisted. International women's organizations will also be invited to cooperate.

3. Regional Approaches

During the summer of 1973, the Human Rights Committee of the Inter-American Bar Association, with the help of the Law and Population Programme, organized in Rio de Janeiro a seminar on law and population. This event demonstrated the value of a regional approach to many aspects of the law and population field. Since religion, social customs and legal approaches are frequently similar within a region, this is a logical way to deal with some aspects of the problem. Accordingly, regional seminars for francophone and anglophone Africa are now being planned, and similar seminars are under discussion for South Asia and South-East Asia.

It is hoped that universities and possibly some of the United Nations regional institutions may be able to help in this regard.

4. Legislative Series

The World Health Organization and the International Labor Organization have been publishing for some time the International Digest of Health Legislation and Legislative Series which have proved to be useful. It was recommended that the feasibility of establishing a similar "legislative series" in the field of laws affecting population be explored in detail. The "series" would be undertaken along the lines recommended by an Advisory Committee on the Legislative Series on Population, which met at WHO in June 1973 (copies of the proceedings are available on request).

It has been suggested that, if a feasibility study shows that this can, as a practical matter, be undertaken under United Nations auspices, arrangements might be made to do this. The series could enlist the cooperation of the various Law and Population Projects, Family Planning Associations of the IPPF and the International Union for the Scientific Study of Population (IUSSP).

5. Other Publications

The Programme has already published nineteen monographs and seven books in the field, and plans to continue and expand its publication program in collaboration with other interested organizations. Among other publications expected soon will be:

- (a) a textbook on law and population, sponsored by UNESCO (see above);
- (b) the proceedings of the Tunis Symposium;
- (c) monographs on Law and Population in selected countries;
- (d) monographs on the world's laws dealing with specific fields of interest, such as the training and qualification of professional paramedical and auxiliary health workers in family planning services; and population and sex education;

(e) books of special interest, such as Mrs. N. Soewondo's forthcoming volume on the status of women in Indonesia.

6. Information and Research Center

The Law and Population Programme hopes to establish a center to which requests for information may be sent regarding materials and developments in this field. This center might be in a position to help in the planning and presentation of university courses and seminars on Law and Population.

VI. CONCLUSIONS

From the experience gained after four years of activity in this field, it is now possible to conclude that:

1. While in most countries the attitudes, policies and activities in the field of population have been changing very quickly since the Second World War, their laws, regulations and judicial decisions have not kept pace or responded to needs.

2. As a result, the law is often inconsistent with governmental policies.

3. The inconsistency or ambiguity in the law either frustrates the implementation of policy or results in a popular disregard for the law which is not enforced.

4. As an important part of their observance of the World Population Year, governments should include the compilation, review and revision of their laws in the population field in the light of population policies and human rights.

ANNEX A

PROFILES OF THE LAW AND POPULATION PROJECTS IN VARIOUS COUNTRIES

I. Introduction

The Law and Population Projects in individual countries are usually organized by a law faculty of a leading university in cooperation with social scientists. They normally proceed in three stages, as follows:

a) The compilation of the legislation (including regulations, decisions and customary laws) of the country which affects population directly or indirectly.

b) The systematic review of the compiled laws, usually by a series of seminars, at which experts in the related fields of economics, sociology, political science, public administration, public health, education, etc., consider the compatibility of the laws with the human rights standards embodied in the various United Nations-sponsored declarations or instruments, as well as their impact on the behavior of the people.

c) The possible revision of the laws, taking into account the human rights standard as well as the political, social, economic, religious and cultural backgrounds of the country.

Project profiles from the following countries are included in this annex:

Brazil	Mexico
Chile	Morocco
Costa Rica	Nigeria
Egypt	Pakistan
Ethiopia	Philippines
Ghana	Romania
Indonesia	Singapore
Iran	Sri Lanka (Ceylon)
Kenya	Thailand
Korea (South)	Togo
Lebanon	Tunisia
Malaysia	Turkey

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BRAZIL

1. Personnel

The Project Director is Dr. Walter Rodrigues, who is Executive Secretary of the Brazilian Family Planning Association ("BEMFAM"), working with Dr. Benjamin Moraes, Full Professor of Penal Law at the Federal University of Rio de Janeiro, a team of younger lawyers, and Dr. Theognis Nogueira.

2. Funding

International Planned Parenthood Federation

3. Date of Commencement

April 24, 1973

4. Compilation

The compilation of the laws of Brazil affecting fertility began in July, 1973. It will contain an analysis of the history lying behind present laws. The laws will be classified in accordance with the standard classification plan.

5. Review of the Law

A review of the law, considering economic as well as legal factors will take place in 1974, with a view to making recommendations to the new federal government and possibly to the individual state governments.

6. Accomplishments, including Publications

The project was instrumental in organizing a special law and population seminar in August 1973 in Rio on the occasion of the Inter-American Bar Association Conference. Five speakers from Brazil took an active part in the proceedings, which were attended by lawyers from a number of Latin American countries. The proceedings have been published. The project feels that despite the officially negative attitude which the government has traditionally taken in this field certain changes can be made, for example, in making a legal differentiation between abortion and contraception. The project has also begun to draft model laws as a basis for discussion with legislators. Finally, the project has provided very useful information to the Law and Population Programme on Brazil's laws on sterilization, contraceptives, etc.

Four experts from Brazil, including Dr. Rodrigues and Professor Moraes, attended the Tunis Symposium. Professor Moraes is a member of the IPPF Panel on Law and Planned Parenthood.

CHILE1. Personnel

The Project Director is Professor Francisco Cumplido (lawyer). Professor Jose Sulbrandt (sociologist) is coordinator-researcher. They are both working at the Social Research Coordinating Institute of the Facultad Latino-Americana de Ciencias Sociales (FLACSO). The other researchers are: Cayetano Llobet (political scientist), Eugenio Diaz (lawyer), also Maria Alicia Ferrera, Santiago Astaburuaga and Francisco Gazmuri.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

August, 1972

4. Compilation

The compilation of the laws of Chile began in 1972, and was largely completed by July 1973. Further special material on special subjects such as contraceptives, use of para-medical personnel for family planning services, and population and sex education has since been furnished which has been of great value to the Programme.

5. In-Depth Studies

The Project sent special investigators to conduct two special studies of the customary laws affecting fertility of the indigenous Indian tribes. Special reports on them were prepared.

6. Review of the Law

Plans for the review of the law at university seminars were delayed by political events within the country, but both the major universities in Santiago indicated an interest. In the meanwhile, Professor Cumplido reported at the Rio Seminar (see next section) that certain conclusions as to needed reforms had already been drawn.

7. Accomplishments, Including Publications

The first publication of compiled laws and regulations took place in mid-1973. Copies were published and circulated within Chile so as to draw attention to the subject and elicit suggestions. The attitude of the new Government in this field appears to be favorable but it is not yet possible to tell what amendments may be adopted. However, the Project through UNFPA is in contact with the Ministry of

Public Health so as to give technical assistance in drafting changes. It is anticipated that these changes may be made more through new regulations than through new legislation.

Professor Cumplido presented a paper to the Rio Seminar of the Inter-American Bar Association in August 1973 which has since been published. He also attended the UNESCO Workshop on the Teaching of Population Dynamics in Law Schools in February 1974 and made useful contributions to its work. He also attended the International Symposium in Tunis, along with Professor Sulbrandt, and Dr. Adriasola of the Ministry of Public Health.

The Seminar took place in Santiago on May 23 to 26, under the sponsorship of the Law School of the University of Chile and the Public Health Ministry.

Work on a final report and monograph on the laws and regulations of Chile is under way.

COSTA RICA1. Personnel

Licenciada Elizabeth Odio, Professor of Family Law and Private Law, Faculty of Law, University of Costa Rica, is the project director. She is assisted by Miss Maria de los Angeles Soto, Mrs. Sonia Zuniga and Mr. Bryan King, students at the Law Faculty. The project has received the assistance of the Law Faculty and a number of its members and sections.

2. Funding

United Nations Fund for Population Activities and the University of Costa Rica.

3. Date of Commencement

September 1972

4. Compilation

The compilation of the laws of Costa Rica, classified in accordance with the standard classification plan was completed by the fall of 1973. It is both thorough and informative.

5. Review of the Law

Five day Symposium held in Supreme Court building organized by the University and sponsored by the Government, in December 1973. Special "round tables" were organized on contraception, sterilization and abortion, family law, need for a general population law, and on general considerations related to population policy. These were attended by government representatives and by experts on law, medicine, social work, statistics, sociology, economics and journalism, as well as by members of the parliament. Conclusions were reached and recommendations made.

6. Accomplishments

A monograph on the laws, including the conclusions and recommendations of the project is in preparation. In addition, the project has contributed information on Costa Rican laws on sterilization, contraception and the use of para-medical personnel to the Programme's published studies on the world laws in these fields.

The project made contact with members of the government who followed the progress of the work with interest. Members of parliament were invited to the Symposium. The project plans to transmit to the elected authorities of the Executive and Legislative branches its recommendations and expects a favorable reception. The project has been invited unofficially to participate in the working group which will draft the expected new General Population Law for Costa Rica.

Professor Odio attended the special seminar on Law and Population in Rio convened by the Inter-American Bar Association and presented a paper which has since been published. She also attended the UNESCO Workshop in Paris in February 1974 and the Symposium on Law and Population in Tunis, for which she prepared a very useful paper on the role of national governments in the population field.

Professor Odio was a member of the official Costa Rican delegation to Preparatory Meeting of the World Population Conference in April 1974.

1. Personnel

The Project Director is Dr. Ahmed Khalifa, a lawyer who is Chairman of the National Center for Social and Criminological Research, working with Mrs. Leila El Hamamsy, a sociologist who is head of the Social Research Center of the American University in Cairo. Dr. Adel Azer is principal investigator.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

January 1973

4. Compilation

The stage of compilation of the laws and decisions was completed during the spring of 1974, following the standard classification plan.

5. In-Depth Study

The Project includes a plan to do field surveys and research to assess the impact of laws on three specific areas; marriage and divorce, abortion and laws on family planning. This is being carried out during 1974.

6. Review of the Law

The review and assessment of the law, designed to find the gaps and contradictions which hinder family planning in Egypt and to work at proposals for reform will take place in the latter part of 1974. This will include a seminar in which legislators as well as lawyers and sociologists will participate in appraising the present laws. After this stage has been completed, the Project will present its suggestions to the Government. The Ministry of National Planning has indicated a strong interest in carrying out the suggestions.

7. Accomplishments, including Publications

The Project has been somewhat delayed in getting started, but considerable material has been produced, including special material on the law on contraceptives, on voluntary sterilization and on family life and population education. A monograph will be prepared at the end of the Project. Dr. Khalifa attended the UNESCO Workshop in Paris. Dr. El Hamamsy attended the U.N.-sponsored International Women's Forum on the Status of Women in New York in 1974, and Dr. Azer attended the Tunis Symposium, with Dr. Leila Takla, a member of the Egyptian Parliament.

ETHIOPIA

1. Personnel

The Project Director is Professor Worku Təfara, Dean, Law Faculty Haile Sellassie I University. Dean Worku was working at first with Mr. Mebrahtu, Yohannes, formerly of the University and now with the Ethiopian Child and Family Welfare Association. Since Mr. Mebrahtu has now been assigned to other duties Dean Worku is arranging for a successor.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

Project approved by UNFPA in February 1972. However, personnel changes have occurred and the project did not begin compilation work until 1974.

4. Compilation

The compilation stage of the project has not yet been completed.

5. Review of the Laws

Not yet begun.

GHANA

1. Personnel

Project Director is Professor Kwanmena Bentsi-Enschill, Professor of Law at University of Ghana, former Justice of Supreme Court, Member of Law Reform Commission. Other members in the project, who come from the Faculty of Law, are: Dr. S. K. Date-Bah, Dr. A. K. Fiadjoe, Dr. J. E. Atta-Mills, Dr. R. B. Turkson, Mr. E. V. O. Dankwa, and Dr. Christine Oppong of the Institute of African Studies, University of Ghana.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

December 1971

4. Compilation

The compilation of the laws of Ghana, following the standard classification plan took place in 1972 and 1973.

5. In-Depth Study

Professor Bentsi-Enschill has undertaken an in-depth study within Ghana, using the services of a Sociologist, Mrs. Christine Oppong. The study deals with patterns of family decision-making and how they are affected by legal provisions. This study took place during 1973 and the beginning of 1974. A more extensive study on the model of the Lee and Bulatao study is planned for 1974-75.

6. Review of the Law

The interdisciplinary seminars to review the results of these two stages took place in May and June 1974. The next stage is the preparation of a monograph summarizing the provisions of law found to be most relevant to population growth in Ghana and making proposals for legislative amendments. Since Professor Bentsi-Enschill is a member of the Law Reform Commission of Ghana, it is anticipated that these proposals will receive careful legislative attention.

7. Accomplishments, including Publications

In addition to the preparation of a monograph with recommendations, which will be of interest to the other Anglophone African countries, the Project has been drawing the attention of the competent Ghanaian authorities to the fact that the laws of the country must be made consistent

with the Population Policy declared by the government in 1971. It is confidently hoped that the necessary amendments as suggested by the project team, will be incorporated into new legislation in the field. The project has also made proposals on the Ghanaian laws on voluntary sterilization, contraceptives and other special subjects on which the Programme will be publishing studies.

Mr. Dankwa attended the Tunis Symposium and Professor Bentsi-Enschill attended the UNESCO workshop in Paris.

INDONESIA

1. Personnel

The Project Director is Mrs. Nani Soewondo, working in collaboration with a group of twelve experts from the Indonesian Planned Parenthood Association (IPPA), the Faculty of Law of the University of Indonesia, the Ministry of Justice, Ministry of Manpower, the Indonesian Association of University Women, and the Federation of Women's Associations. In 1973, a Board of Advisers, which included the Minister of Justice, the Dean of the Law Faculty, the Assistant Dean of the Social Sciences Faculty, University of Indonesia, a Professor in Obstetrics-Gynecology, Vice Chairman of the IPPA, and a Supreme Court Justice was established.

2. Funding

The Project was preceded by the IPPA Committee on Legal Aspects of Family Planning, 1970-1971, funded by IPPF, London. Subsequently the Law and Population Project was established, 1972-1974, funded by UNFPA.

3. Date of Commencement

Preparations began in Spring of 1971. It was approved by the UNFPA in August 1971, and formally begun in April 1972.

4. Compilation

The Legal Aspects Committee made a first compilation of Indonesian Law affecting fertility as early as September 1971, which was published both in Indonesia and in the United States as Law and Population Monograph No. 4. A fuller compilation of the laws was completed by the Law and Population Project in June 1973, which was revised after consultation with the Board of Advisers in October 1973.

This Compilation was presented to the seminars held in six different Law Faculties and again discussed in the Seminar on Law and Population, held in Jakarta, January - February 1974.

5. In-Depth Study

In 1973, the project decided to undertake an in-depth study on the attitude of law officers towards fertility. It was felt that the attitudes toward fertility of that part of the population which has some familiarity with legal matters would be particularly helpful in developing proposals for law amendments in this field. The study will be undertaken during 1974.

6. Review of the Law

The project decided that the review should be carried out in an academic background and that support and understanding of the problem was necessary throughout the islands. Accordingly, during December 1973, travelling teams carried on seminars in six universities scattered over the country. This was followed by a final seminar organized by the IPPA in cooperation with the Faculty of Law, University of Indonesia, at the IPPA National Training and Research Center in Jakarta in January - February 1974, designed to make recommendations to the Government. It was attended by thirty-four experts, many of whom were government officials. This seminar decided on a number of specific recommendations in such fields as the penal law, marriage law, family life education, public welfare, public health, and economic questions. However, the entire field was not covered by a model code since there were so many questions involved and it was considered better to make specific recommendations on separate subjects.

7. Accomplishments, including Publications

The monograph published in 1971 contained specific proposals, some of them, such as the duty free import of some contraceptives, have already been put into effect. The project has made further recommendations to the government from time to time as appropriate. For example, in September - December 1973 members of the Committee actively participated in discussions on the Marriage Bill which was being discussed in Parliament and was adopted in December 1973. The conclusions and recommendations of the Law and Population Seminar were presented among others to the Minister of Justice, the Chairman of the Supreme Court, the Minister of Religious Affairs and the Chairman of the National Family Planning Coordinating Board. One of the recommendations of the Seminar was to include Population Law in the curriculum of the Faculty of Law.

The final report, including the recommendations of the seminar will be prepared in 1974, which may be published as a second monograph. The project played an important role at the U.N. Regional Seminar on the Status of Women and Family Planning held at Jogjakarta in June 1973. This seminar made very specific suggestions to the governments of the region on improvements in existing law which tends to be out-of-date in many of the countries of the region.

Meanwhile, the project has meshed its work into the related work of the World Population Year 1974 and the International Women's Year 1975. Mrs. Nani Soewondo is bringing out a new edition of her book on the position of Indonesian women in law and society.

In addition to these project achievements, Mrs. Hanifa attended the UNESCO Seminar in Paris in February 1974 and made very useful contribu-

tions; and Mrs. Soewondo served as a member of the IPPF Panel on Population Law and Policy at the Brighton Conference in October 1973, which started work in June, in Tunis. She also presented a background paper on Family Relations laws as affecting fertility. Both Mrs. Soewondo and Mrs. Hanifa attended the International Symposium in Tunis, together with Oemar Seno Adji, Chief Justice of the Supreme Court. Mrs. Soewondo, a member of the new IPPF Panel on Law and Planned Parenthood.

IRAN

1. Personnel

Dr. Parviz Saney, Professor of Law at National University and at Tehran School of Social Work, and former Vice Dean of Tehran Law School, is Project Director. He is working in collaboration with the National University Law School.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

February 1973.

4. Compilation

The compilation of the Iranian laws, together with translating them into English, editing them (352 pages), and putting them into the standard classification plan order was nearly finished by the end of 1973. The collection of ministerial regulations was the next stop, which should be completed in the spring of 1974.

5. Review of the Law

The review of the laws thus compiled and edited, involving judges and experts from other disciplines was scheduled for 1974.

6. Accomplishments, including Publications

The Project Director made a close contact with the government early in the project, and the Prime Minister has given him a written assurance that any laws which the project find to be contrary to the government's objectives in the fields of family planning and population control will be modified. The Director has furnished information for the Program's basic studies on the world's laws on sterilization, contraception, and para-medical personnel. He attended the UNESCO Workshop in Paris in February 1974 where he made very valuable contributions of the proposed new book on Population Law to be published by UNESCO. A monograph on the Iranian law affecting fertility, together with conclusions and recommendations, has been prepared. Dr. Saney, together with Dr. Saleh, a member of the Iranian Senate, and Professor Ghoreishi, Dean of the National University Law School attended the Tunis Symposium.

KENYA1. Personnel

The Project Director is Professor U. U. Uche of the Faculty of Law, University of Nairobi, working with a team of graduate students.

2. Funding

Inter-disciplinary Communications Program, Smithsonian Institute

3. Date of Commencement

November 1973, but preliminary work began somewhat earlier.

4. Compilation

Considerable work has already been done on compiling Kenyan Law affecting fertility and reports have already been written on the use of para-medical personnel for family planning, and on population and sex education.

5. In-depth Study

Professor Uche plans an in-depth study for 1974, taking into account the sociological, psychological, religious, cultural and ideological factors affecting behavior.

6. Review of the Laws

A seminar will be organized to review the law, once compiled, to make suggestions for its amendment and to formulate provisions for a model code. Representatives of the government have taken a strong interest in the project and can be expected to consider very seriously suggestions which arise from it.

7. Accomplishments, Including Publications

Since the project is comparatively recent, there have, as yet, been no proposals for amendment made to the government. However, Professor Uche attended the UNESCO Workshop in Paris in February 1974. He has coordinated his work with that of the United Nations Environmental Organization in Nairobi, and made contributions to the Ibadan meeting of the Population Studies Association of Africa on legal education and population policies in Africa.

The project is arranging for a regional seminar on Law and Population in Anglophone Africa.

KOREA (SOUTH)1. Personnel.

The project director of the project is Professor Yang Seungdee, Associate Professor of Law and Chairman of the Law Department, Yonsei University, Seoul, Korea.

2. Funding

Population Council

3. Date of Commencement

June 1972

4. Compilation

The compilation of the laws of South Korea has been completed.

5. Review of the Law

The project has reviewed the law of South Korea from the point of view of human rights and the governments's population policy, and suggested some of the necessary amendment of the existing laws and enactment of new laws for the effective population control.

6. Accomplishments, Including Publications

The project has made suggestions to the government which were useful in connection with the 1973 enactment of the Maternal and Child Health Law and its enforcement decrees and regulations. This covered contraception, abortion, training of paramedical personnel, sterilization, etc. It has also supplied information to the Programme on special subjects which was essential for the preparation of monographs on the world's laws or various important subjects such as sterilization. The compilation of the laws of South Korea will be shortly printed in monograph. And the project will organize a seminar or discussion group to consider the effect of laws, particularly that of the MCH Law, and make suggestions as to possible changes in the early part of August 1974.

1. Personnel

The Project Director is Professor Georges Dib, Professor at the Faculty of Law, Lebanese University, working with a team which includes Professor Khoury of the American University of Beirut. The project works with an advisory commission on Population Matters in the Ministry of Planning. Professor Dib is a member of the IPPF Panel on Law and Planned Parenthood.

2. Funding

United Nations Fund for Population Activities, with the Ford and Rockefeller Foundations funding the In-Depth Study.

3. Date of Commencement

April 1972

4. Compilation

Professor Dib completed his compilation of the laws of Lebanon at the end of 1972. The laws were then classified in accordance with the standard classification plan.

5. In-Depth Study

Professor Dib and Professor Khoury, with funding from the Ford and Rockefeller Foundations, undertook in 1973 and 1974, a special in-depth study, involving 3000 interviews and a detailed questionnaire designed to bring out socio-economic background, environment, attitudes to family planning and family planning programs and to discover the effect of law on fertility behavior. The survey was conducted in a suburban community, a rural community, and an urban area. Five interviewers were also employed for the purpose, and the replies were coded for computer purposes.

6. Review of the Laws

Professor Dib, on the basis of his compilation, delivered a series of fourteen lectures to representatives of the many universities in the Beirut area, under the auspices of the American University of Beirut and the Lebanese University. He covered fertility regulation, family status, child welfare, public welfare, public health and education. These lectures were organized as round tables so as to elicit comments and suggestions.

7. Accomplishments, including Publications

The project has prepared a monograph in Arabic and in English

on the laws of Lebanon affecting fertility, and commenting on possible amendments or interpretations. The Arabic edition may be published by the American University of Beirut and the English edition by the Law and Population Programme. The project has made a number of informal recommendations to the appropriate authorities (formal recommendations in this field addressed to the legislature would probably be ineffective). At the project's suggestion, the Government has established an advisory commission on population, which will be in a position to facilitate this process. As the project comes into its final stages, a number of recommendations will be passed on in this manner.

Professor Dib participated in the work of the Paris and Tunis meetings and brought out a number of practical suggestions as to the legal situation on Moslem countries. He was accompanied by Dr. Hassan Rifai, Minister of Planning of Lebanon, at the Tunis Symposium.

MALAYSIA1. Personnel

The Project is directed by Professor Ahmad Ibrahim, Deputy Vice-Chancellor and Dean of Law at the University of Malaysia, working with a small team of experts from the university.

2. Funding

Ford Foundation

3. Date of Commencement

January 1972

4. Compilation of the Law

The project has completed the compilation of the laws of Malaysia affecting fertility, and arranged them in accordance with the standard classification plan.

5. Review of the Law

The review of the law is planned for 1974.

6. Accomplishments, including Publications

The project has contributed special studies on the Malaysian law on voluntary sterilization and on contraceptives which have been extremely useful in the preparation of studies in these fields.

MEXICO

1. Personnel

Lic. Gerardo Cornejo, Director of the Foundation for Population Studies, is project director. He is working with the Foundation, with the Colegio de Mexico and, for a time, was working with the Law Faculty of the National University. There is also an Advisory Committee consisting of prominent economists, sociologists and officials. Lic. Cornejo is a member of the International Advisory Committee on Population and Law.

2. Funding

The International Planned Parenthood Federation.

3. Date of Commencement

February 1972

4. Compilation of the Law

The compilation of the law, consisting of over 350 items, was completed in 1973, and it was arranged in accordance with the standard classification plan. The report on the compilation was printed and published in early 1974.

5. In-Depth Study

The project has under consideration the possibility of arranging an in-depth study, but because population matters have been changing so rapidly in Mexico, no decision has been reached.

6. Review of the Law

In April 1974, a symposium was arranged at the Colegio de Mexico, attended by legislators, judges, officials and researchers, to consider the compilation of law prepared by the project, and to develop comments and suggestions as to possible legal reforms. The conclusions were distributed to investigators, magistrates, legislators, and public and private officials. The newly constituted National Council on Population took cognizance of the symposium's conclusions and offered to support any further research which the project considered necessary. A monograph on Mexican population laws has been prepared.

7. Accomplishments, including Publications

Not only has the government taken official notice of the project's recommendations, but the amendments in the laws on drugs and population which were made during 1972 and 1973 reflected some of the project's thinking. The publication of the report of the project's compilation and conclusions will provide additional impetus to the general modernization of Mexican laws.

Lic. José Cornejo made a very useful contribution to the first Latin American regional meeting on law and population in Rio in August 1973, and Lic. Gerardo Cornejo made an equally useful contribution to the Tunis Symposium in June 1974.

The project's special reports on the Mexican laws on voluntary sterilization and on contraceptives have been of great value in the preparation of special reports on these topics.

MOROCCO1. Personnel

The project director is Professor A. Belkaziz, Dean of the Law Faculty of the University of Mohammed V in Rabat. He is working with Professor Mekki Naciri, an expert on Moslem law and Professor Khatibi, a sociologist.

2. Funding

United Nations Fund for Population Activities. Materials were contributed by the Population Council.

3. Date of Commencement

May 1972

4. Compilation

The compilation has been designed to cover laws in the fields of: medical practice, family law, protection of children, penal law, social welfare, drugs and medicine, education and property. The compilation will also cover Moslem as well as civil law. The material is being arranged in accordance with the standard classification plan.

5. Accomplishments, including Publications

The project has obtained recognition of population law as an essential element of the national plan for economic development. Dean Belkaziz attended the UNESCO Workshop in Paris in February 1974.

1. Personnel

The co-directors of the project are Professor Olu Odumosu, Dean of the Law Faculty at the University of Ife, and Professor Adenola Igun, Director of Ife's Institute of Population and Manpower Studies. They are assisted by a team of five lawyers, one sociologist and one demographer from the Ife faculty.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

October 1973

4. Compilation

The compilation of the laws of Nigeria and of its component states which affect population has been started. The first section of the report dated January 1974, has been published. It covers the laws, decrees and regulations on family planning and contraceptives. The full report has not yet been completed. The laws are being arranged in accordance with the standard classification plan. The University of Ife had already been doing work in this field, and had held a seminar in March 1971, for which various jurists had assembled useful materials. Customary law is important in Nigeria and this is being included in the project. In January 1974, the project brought out its "Publication No. 1," a survey of Nigerian law on fertility regulation, covering sterilization and contraceptives.

5. In-Depth Study

Field interviews, based on detailed questionnaires are being undertaken.

6. Review of the Law

The project calls for a series of seminars and meetings with legislators, researchers and other experts who will examine the compilation and make suggestions for amendments to modernize the existing provisions. The "Model Code" thus developed will be transmitted to the various departments of the state and federal governments concerned.

7. Accomplishments, including Publications

The project has been delayed in getting started, and there has, so far been little opportunity to develop suggestions for the government or to bring out publications other than what is covered in 4 above. Dr. Okunniga, a professor of law, attended the Tunis Symposium. A monograph will be prepared for publication in due course.

1. Personnel

The Project Director was originally Mrs. Attiya Inayatullah, Executive Vice President of the Family Planning Association of Pakistan. She has been succeeded by Mrs. Surriya Jabeen, Director of the Family Planning Association of Pakistan. She is working with the Association staff, and with the law firm in Karachi of Mr. Khalid Ishaque.

2. Funding

International Planned Parenthood Federation and the government of Pakistan's Family Planning Division

3. Date of Commencement

September 1972

4. Compilation

The compilation of the laws, including regulations, decrees, decisions, customary and religious rules, and information as to the degree of their actual enforcement, was completed by early 1973. The compilation dealt first with laws having a direct bearing on fertility, second with those which have or could have an effect on motivation, and thirdly those in which a change might act as a catalyst for social change. The compilation dealt, inter alia, with housing law, adoption, marriage, obscenity, tax, land tenure, education, labor, and Islamic laws.

5. In-Depth Study

The project included a study of the relation between law and the socio-cultural system, in an attempt to assess the impact of socio-cultural factors on the law and its observance and the degree to which law can bring about social change. The work was completed by the end of 1973.

6. Review of the Law

An inter-disciplinary seminar, based on the compilations, and involving lawyers, sociologists and a Board of Advisors which included judges, law professors and practitioners took place in the latter part of 1973. The conclusions and recommendations of this review, plus the basic facts of the compilation were contained in a paper prepared in the spring of 1974 for transmission to the appropriate authorities of the government and to the IPPF. The paper makes 14 specific suggestions for changes in the law or in its enforcement.

8. Accomplishments, including Publications

In addition to providing the first study which examined Pakistani law from the point of view of its impact on fertility and family planning, the project has demonstrated clearly the obsolete nature of many of the laws. The government is understood to be considering at this time what changes should be made. In the meanwhile, the project has supplied to the Law and Population Programme essential information on the laws of Pakistan on contraceptives and other subjects, which has been essential in the preparation of special world studies.

Mrs. Inayatullah participated in the 21st Anniversary Conference of the IPPF at Brighton in 1973 and Mr. Ishaque participated in the Symposium at Tunis in 1974.

PHILIPPINES

1. Personnel

Dean Irene R. Cortes, University of the Philippines College of Law and Professor Froilan M. Bacungan, University of the Philippines Law Center, are co-directors. They work in collaboration with a legal panel composed of Professor Carmelo V. Sison, Professor Esteban B. Bautista, Miss Myrna S. Feliciano and Dr. Rodolfo Bulatao, Professor of Sociology from the University of the Philippines.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

June 1972.

4. Compilation

The work started early, before the project had actually been formally approved by the UNFPA. Professor Sison of the University of the Philippines completed the first draft of a preliminary monograph in May 1972. The monograph has been updated and appeared in a special law and population issue of the Philippine Law Journal in June 1974. The compilation work has been completed and has been sent to the Population Commission of the Philippines and the UNFPA. The compilation work, together with the final monograph containing proposed remedial legislation of laws bearing on population, will be submitted at the end of the project in October 1974.

5. In-Depth Study

The project for the Philippines includes an in-depth study on the effect of specific laws on fertility behavior. This study, which was initiated by Dr. Rodolfo Bulatao of the Department of Sociology of the University of the Philippines and Dr. Luke T. Lee of the Law and Population Programme, has been completed and will form part of the final monograph for the Philippines. It has appeared under the title of: Attitudes toward Legal Measures for Population Control.

6. Other Activities

A Law and Population Seminar will be offered on the graduate level at the

University of the Philippines College of Law during the first semester of the school year 1974-1975, taught by the directors of the project. Besides graduate students of law, those of sociology, of social work and other disciplines will be permitted to enroll.

Participants in the project have also helped organize seminars on a multi-disciplinary approach to the population problem.

7. Accomplishments, including Publications

The project has made recommendations to the government on a whole series of laws affecting population, including family planning clinics, contraceptives, taxes, use of private corporations and organizations, sterilization, etc., some of which have been adopted. A special "Model Cities" project has been sponsored in Cagayan de Oro, involving a city government in the family planning campaign on a pilot basis. The city government has used the housing and marriage license ordinances as a means to attack the problem.

Dean Cortes attended the UNESCO Workshop in Paris and she, with Professors Sison and Bulatao, attended the Tunis Symposium. The project has also forwarded special reports to the Programme on special topics such as sterilization, contraception, and population education.

ROMANIA1. Personnel

Professor Jon Filipescu, Dean of the Law Faculty of the University of Bucharest, and Mr. Josef Ionescu of the National Commission on Demography are directors of the project.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

April 1974

4. Compilation

The National Commission on Demography has already prepared a detailed study of the Romanian laws affecting fertility under the auspices of the International Union for the Scientific Study of Population, which simply needs to be brought into conformity with the standard classification plan, and supplemented in certain fields. This will form the basis for a monograph.

5. Review of the Law

The University of Bucharest has a number of courses from which will be taken the components needed to set up a Law and Population Seminar or course. This seminar will presumably lead to the development of suggestions for the amendment of existing laws in the light of United Nations pronouncements.

6. Accomplishments, including Publications

The project is very new, but there are plans to set up a translating service to translate material into French and Spanish. The IUSSP study has already been published. Professor Victor Zlatescu, of the Legislative Council of Romania, attended the UNESCO Workshop in Paris in February 1974, and announced that there would be a new course on Law and Population as part of the social science curriculum at the university of Bucharest.

Professors Trebici and Zlatescu, and Mr. J. Copil of the National Demographic Commission attended the Tunis Symposium.

SINGAPORE

1. Personnel

The Project Director is Mr. Kenneth K. S. Wee, Sub-Dean of the Law Faculty of the University of Singapore. He works with Dr. Riaz Hassan of the Department of Sociology.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

July 1973

4. Compilation

A compilation of the laws most directly affecting population in Singapore had already been made in 1973, and published as Law and Population Monograph No. 9. The project is expected to go into greater detail and cover laws affecting population indirectly. A second monograph and report will be prepared.

5. In-Depth Study

The project plans to conduct a national study on the impact of customs and laws on the population's attitude toward family planning.

6. Review of the Law

An interdisciplinary seminar to discuss the compiled laws and to formulate suggestions on amendments to existing laws and regulations for Singapore is planned for 1975. Human Rights will be the point of departure.

7. Accomplishments, including Publications

Mr. Wee attended the UNESCO Workshop in Paris in February 1974. He and Dr. Hassan attended the Symposium in Tunis. Since the project is relatively new, no publications have appeared. Because the government is very sympathetic to the project, it is expected that it will pay careful attention to the proposals arising from the project.

SRI LANKA (CEYLON)1. Personnel

Project Directors are Mr. R.K.W. Goonesekere, Principal Sri Lanka Law College, and Dr. Wickrema S. Weerasooria, Senior Lecturer in Law, Monash University, Clayton, Australia.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

March 1972

4. Compilation

The major part of the compilation of Sri Lanka laws affecting population growth and fertility was completed by the end of 1973, following the standard classification plan. The project is now in the process of writing a monograph of about 100 pages based on this compilation and it is envisaged that the monograph will be ready for publication by August 1974.

5. Review of the Law

Since its commencement, the project has held a number of meetings and discussion groups at which officials and individuals concerned with population growth and fertility were brought together, and at these meetings and discussions the compilation that was being done by the project was openly discussed.

In January 1974 the Project sponsored a four day seminar on Law and Population at which the Government participated. Nineteen papers (on the more important topics covered in the project compilation) were prepared and delivered at the Seminar. It was attended by the Deputy Ministers of Justice and Health, the Permanent Secretaries of Justice and Health, by members of Parliament from both the Government and Opposition groups, and persons whose specialties included medicine, social welfare, economy, sociology and demography. The Seminar was given full news coverage by the Newspapers and the State controlled radio.

In their Addresses to the Seminar both the Deputy Minister of Justice and the Permanent Secretary, Ministry of Justice recognized that the time had come to use law as an instrument of population control in Sri Lanka, and indicated quick legislative action on the Seminar's recommendations. On March 4, 1974 a special sub-committee of the Government met to consider the Report and Recommendations of the Law and Population Seminar, and it was decided to accept the majority of

its recommendations and to submit them to each Government Ministry concerned with the subjects discussed for their consideration and report. A follow up on this sub-committee meeting is expected.

6. Accomplishments, including Publications

The monograph on the laws together with conclusions and recommendations is under way.

The project has worked in close collaboration with the Family Planning Association in Sri Lanka, and the Maternal and Child Health Bureau of the Government. It has devised consent forms to be used by acceptors in the case of voluntary sterilizations, both male and female. It has given a number of talks and interviews on the State-controlled radio as to the relation between law and population, and law as an instrument of population control, and also addressed several international conferences held in Sri Lanka (between March 1972 to December 1973) on matters relating to population. Special reference may be made to the paper read by Dr. W.S. Weerasooria at the I.L.O. Seminar held in Sri Lanka in August 1972 on "The Population Implications of the Labour and Industrial Laws of Sri Lanka."

The project has also contributed information on Sri Lanka for the Program's studies on the world's laws on sterilization, contraceptives, para-medicals, etc. Dr. Weerasooria attended the UNESCO Workshop in February 1974. He also attended the Tunis Symposium.

THAILAND1. Personnel

The project director is Dr. Visid Prachuabmoh, Director of the Institute of Population Studies at Chulalongkorn University, working with the Faculty of Law at the same university. Mr. Damrong Dharmaraksa of the Faculty of Law is co-director.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

April 1973

4. Compilation

During its first year the project worked on the compilation of the statutes, decrees, decisions and customary laws affecting population growth, and translated them into English. The task had not been completed by the spring of 1974.

5. Review of the Law

After the compilation stage has been completed, the project plans a series of interdisciplinary seminars at Chulalongkorn University to consider the existing law and make suggestions for its modernization. Distinguished local law experts will be consulted.

6. Accomplishments, including Publications

Mr. Horayangkura of the Law Faculty attended the Paris Workshop of UNESCO in February 1974, Mr. Damrong Dharmaraksa and Mr. Phi-jaisakdi Horayangura attended the Tunis Symposium. There have so far been no publications, but a monograph on the Thai Law is now under preparation.

TOGO1. Personnel

The Project Director is Professor Messanvi Leon Foli of the School of Law and Economic Sciences at the Benin University in Lome. The co-Director is Aregba Alain Polo. They are working with Dr. Anani Ahianyo-Akakpo, a sociologist, who is Director of the National Institute of Scientific Research and with Dr. Bitho, a medical research specialist.

2. Funding

United Nations Fund for Population Activities

3. Date of Commencement

October 15, 1973

4. Compilation of the Law

The compilation process, which will include the laws on women and children, and customary law, will also include those of Dahomey, for purposes of comparison. Since there is a large degree of customary law involved, which varies from district to district, an effort will be made to show the variations. This stage is not yet completed. A monograph will be prepared on the basis of this compilation. Sociological, medical and customary factors will be included.

5. Review of the Law

The project intends to conduct a seminar at Benin University to examine the law with a view to suggesting amendments, in the light of human rights concepts. The project is organizing a regional seminar for francophone Africa to compare notes in this regard.

6. Accomplishments, including Publications

The project is still too recent to have developed any suggestions as to desirable amendments in the law. However, Professor Foli attended the UNESCO Workshop in Paris in February 1972 and the Tunis Symposium.

TUNISIA1. Personnel

The Project Director is Moheddine Mabrouk, Assistant Professor at the Faculty of Law in Tunis. He is working with the Family Planning Association of Tunis.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

June 1974

4. Compilation

The Project has only just been funded. However, some preliminary work has been completed, and copies of the new legislation on abortion have been distributed.

5. Review of the Law

Not yet scheduled.

6. Accomplishments

Professor Mabrouk has attended both the UNESCO Workshop in Paris and the Symposium on Law and Population in Tunis. He has been active on these occasions in answering questions with regard to Tunisian law and in taking part in the various working groups.

TURKEY1. Personnel

The Project Director is Professor Dr. Bulent Nuri Esen of the Law Faculty at Ankara University. He is working with Professor Nusret Fişek, Director of the Institute of Community Medicine at Hacettepe University in Ankara and a team of research assistants.

2. Funding

United Nations Fund for Population Activities.

3. Date of Commencement

April 1972

4. Compilation

The compilation of Turkish laws affecting population has been completed, and the process of translation into English is now underway. It covers fertility regulation, family law, children, penal law and economic factors affecting fertility. A monograph will be prepared after the translation is completed. It will include the conclusions and recommendations of the project.

5. Review of the Law

A number of seminars have been arranged, including a seminar for law students and one for practicing family and penal lawyers. The compilation has been sent to physicians for their comments. The comments thus elicited, including the views of Professor Fişek as a sociologist in the field of population, will form the basis for proposals for various amendments to the Turkish law affecting population especially from the point of view of human rights. The seminars were held by the Faculties of Law and Education of Ankara University.

A final seminar, to draw all the proposals together, is planned for the fall of 1974, after the Symposium in Tunis. It will be under the sponsorship of a Cabinet Minister, who will bring the conclusions to the attention of the appropriate people in the government.

6. Accomplishments, including Publications

The project has supplied important information to the Programme on sterilization and contraceptive law for use in general publications. Professor Esen and a colleague participated in the U.N. seminar in Turkey on the Status

of Women and Family Planning in 1972. Professor Esen attended the Paris Workshop of UNESCO and the Tunis Symposium in 1974.

In view of the interest being taken by the government in this field, it is expected that it will make appropriate changes in the law on receiving the project's final report.

III. Related International Projects

Not only have these country projects been undertaken, but there have also been a number of international projects directly related to the updating of the world's laws in the population field. These include:

1. The Symposium on Law and Population, sponsored by the UNFPA and the United Nations at Tunis in June 1974. The purpose of the Symposium to assemble the country project directors and other experts in the field, in order to a) compare notes on national experiences with population laws and b) draw general conclusions as to the kind of laws which would be suitable to Governments intending to revise their laws in the population field.
2. The UNESCO Workshop at Paris in February 1974 on the teaching of population dynamics in law schools, at which some forty professors from twenty-six countries considered the impact of other disciplines, such as public health, education, economics, psychology, public administration, etc., on the population law field. Suggested material was presented for an eventual textbook which is to be published by UNESCO. It will be based on the materials produced both at Paris and Tunis.
3. The United Nations Seminar on Population and Human Rights at Amsterdam in January 1974. This, among other things, stressed the need to consider the law as an essential component part of any population program, and called on the international organizations to assist governments in the review of their National legislation in the light of the principles of human rights and of their own population policies.
4. The United Nations series of Seminars on the Status of Women and Population in Turkey, Dominican Republic and Indonesia in 1972 and 1973. These became deeply involved in the legal issues which affect both the status of women and population growth. The Seminars made specific recommendations on many legal matters such as abortion law reform, marriage law reform, and liberalization of the laws regarding the distribution of contraceptives in most countries, etc.
5. The Regional Law and Population Seminars. In August 1973, the Human Rights Committee of the Inter-American Bar Association organized a special seminar on law and population in the Americas in Rio, which was addressed by representatives of the law and population projects in Costa Rica, Chile, Brazil and Mexico as well as by a representative of the United States. Lawyers from the other American countries attended the meeting, and the proceedings were published as a special monograph. Similar regional seminars are now being organized for anglophone Africa in Kenya and for francophone Africa in Togo.
6. The International Planned Parenthood Federation has established a new panel on the Law and Planned Parenthood, which will seek to focus attention in its member countries on the need to amend outdated laws. It is seeking to persuade its constituent family planning associations to bring legally trained personnel

into their organizations. The IPPF has also organized regional meetings which have considered legal problems. A recent example was the IPPF regional meeting in Bangkok on Voluntary Sterilization and Menstrual Regulation. It made specific recommendations on the law in this field. The IPPF's quarterly magazine "People" publishes a regular section on law changes (as does the law journal Lawasia).

7. The Economic Commission for Asia and the Far East, and the Economic Commission for Africa have organized population conferences, which have become increasingly concerned with law problems.

8. The International Association for Voluntary Sterilization has organized two international conferences in its field, the second of which was held in Geneva in 1973. At the Geneva conference specific suggestions as to legal reform regarding voluntary sterilization were made.

9. The Committee for International Coordination of National Research in Demography (CICRED) organizes symposia in its field which stress the importance of law as an instrument of population policy.