



Economic and Social Council

Distr.
GENERAL

E/1982/WG.1/SR.6
13 April 1982

ORIGINAL: ENGLISH

First regular session, 1982

SESSIONAL WORKING GROUP ON THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 6th MEETING

Held at Headquarters, New York,
on Thursday, 8 April 1982, at 10.30 a.m.

Chairman: Mr. BURWIN (Libyan Arab Jamahiriya)

CONTENTS

Consideration of reports submitted in accordance with Council resolution 1988 (LX)
by States Parties to the Covenant concerning rights covered by articles 10 to 12
(continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages, preferably in the same language as the text to which they refer. They should be set forth in a memorandum and also, if possible, incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room A-3550, 866 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be consolidated in a single corrigendum to be issued shortly after the end of the session.

The meeting was called to order at 10.50 a.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)
BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 10 TO 12
(continued)

Report of the Ukrainian Soviet Socialist Republic (continued) (E/1980/6/Add.24)

1. Mr. SLIPCHENKO (Ukrainian Soviet Socialist Republic), responding to questions raised by the representative of Bulgaria regarding the status of Ukrainian women and the part played by the Commission of the Supreme Soviet of the Ukrainian SSR on Women's Working and Living Conditions and Maternal and Child Welfare in implementing the provisions described in the Ukrainian report, emphasized that all State policy and the activity of all State bodies were guided by one overriding concern: to ensure the most effective implementation of the rights accorded to women in their different roles in society, in other words, their equal social rights with men, their rights as members of the work force and their rights as mothers.
2. More specifically, State policy was geared towards the following objectives: in the economic sphere, to raise the standard of technical equipment in production and to improve working conditions and safeguards, organization of work and cultural and welfare facilities for women in the enterprise. It also sought to transfer more and more household activities to the service sector, increase the production of domestic goods, improve standards in such areas as children's institutions, food catering facilities and medical services, and increase the benefits paid to mothers. Such efforts were extremely important, because women accounted for 52 per cent of the work force and constituted over half the students of institutes of higher or secondary education. A typical example of such efforts was the granting of scholarships to all women with children, as of 1981, irrespective of academic standing or income, since studies and practical experience showed that the professional employment of women improved family relations and enhanced the authority and role of women within the family.
3. The Commission to which the representative of Bulgaria had alluded had been created in 1976 the year in which the Covenant had entered into force in the Ukraine, and played a very important role in establishing and advocating a whole range of women's rights. It had the power to submit proposals for legislation to the Supreme Soviet and to enter into contact with members of the Council of Ministers, directors of enterprises, etc. All State bodies and officials were bound by its recommendations and had to inform it within two months of the action they had taken to implement them.
4. Action taken by the Commission included a study on women's working conditions in different sectors of industry and another on medical services for children and adolescents. It had established a republican centre for maternal and child welfare and made recommendations on family leisure activities. Its recommendations had been taken into account in State economic planning and it had also conducted a scientific study and made recommendations on the social, economic, educational, medical and legal problems of women workers in connexion with the 1980-1985 Five Year Plan.

/...

(Mr. Slipchenko, Ukrainian SSR)

5. The representatives of Japan and the Federal Republic of Germany had asked about income levels, apartment rents, the housing situation in general, agricultural production and actual consumption of various goods. With regard to consumption and agricultural production, he said that in the past 50 years, nobody in the Ukrainian SSR had gone hungry, homeless or unemployed and the goal now was to achieve a qualitative improvement in both those areas.

6. It had been asked how far the level of agricultural production in his country matched that for the Soviet Union as a whole. There was no shortage of food products either in the Soviet Union as a whole or in his own country, and there had been a qualitative improvement in over-all food production. For some time now, average daily consumption had been 3,200 calories, similar to that of most developed countries. However, the components of that diet were still not nutritionally balanced. A balanced diet was the goal of current agricultural efforts, for instance efforts to increase meat production. The proportion of meat, fish and dairy products in the diet had not yet reached optimum levels, while there was over-consumption of sugar and potatoes and fruit and vegetable consumption was particularly low.

7. To illustrate the level of consumption of non-food products, he said that approximately four-fifths of all families had a television, a refrigerator and a washing machine and it was hoped that all families would own such goods by 1985 or a little later.

8. With regard to agricultural production in general, he said that the average yearly grain yield over the years 1976-1980 had been 43 million tons, representing an increase of 3 million tons a year over the previous five-year period. It was hoped that by 1985 a level of 51 million tons per annum would have been reached. There was no shortage of grain for food but it was needed as livestock fodder in order to increase meat production.

9. The representative of the Federal Republic of Germany had asked about the part played by the Ukrainian SSR in the over-all economy of the Soviet Union and the extent to which Ukrainian consumption levels were the result of the country's own efforts. His country's place in the system of Soviet Republics was defined by the level of development of the various sectors of its economy. It produced 53 per cent of the Soviet Union's iron ore, 30 per cent of its coal and 37 per cent of its steel and its exports to other Republics represented 20 per cent of the Soviet Union's ferrous metals, 33 per cent of its metal and metal-processing products and 25 per cent of its food and agricultural products. It imported from other Republics approximately 25 per cent of the Soviet Union's machine products, 33 per cent of its light industrial products and 10 per cent of its timber and paper pulp products. It was also importing increasing quantities of oil and other fuels. The Ukraine had 15 per cent of all the arable land in the Soviet Union and produced almost 50 per cent of the Soviet Union's sunflower seed, 66 per cent of its sugar, 25 per cent of its meat, 25 per cent of its milk and about 20 per cent of its eggs. In general, its per capita production was comparable to that of the Soviet Union as a whole, and its trade with the other Republics led to a more or less balanced level of consumption.

(Mr. Slipchenko, Ukrainian SSR)

10. It was true that some housing problems still persisted as a result of population growth, urban growth and improved cultural and developmental levels. Forty per cent of the country's housing, which had been destroyed in the Second World War, had now been replaced and was of better quality than before. No one was homeless or lived in slums or shanty towns, but the State considered it a duty to ensure that housing improved at a rate commensurate with the country's rate of development. Virtually all housing was equipped with all utilities. There were approximately 370 apartments per 1,000 people and the average space per person had increased steadily. It was hoped that, by the end of the 1980s there would be one apartment per family and one room per family member, amounting to approximately 18 square metres per person. Those norms referred, of course, to State-constructed apartments. However, individual or co-operative construction was also possible, enabling people to obtain better housing or to find housing more quickly than if they had been on a State housing waiting list. Housing lists were kept not only by State organs of power but also by enterprises and trade unions and priority went to those who had worked longest and best. Young families were also given some priority in the allocation of housing. Of every 100 apartments built, 76 were built by the State, 4 by collective farms and 20 by individual co-operatives. Those who built homes with the help of collective farms or co-operatives were eligible for State aid in the form of low-interest loans or mortgages, with half the amount written off by the collective farm in question, or, in the case of industrial workers, by housing construction funds established for that purpose within the enterprise. Rents were generally low in order to ensure that everyone had access to modern apartments.

11. The representative of Japan had requested clarification of the statement made in the report in connexion with article 11 of the Covenant to the effect that household expenditure on rents and utility services amounted to less than a third of the total outlay on those items. That figure related only to expenditure incurred by the State to maintain existing housing in good condition. The proportion of expenditure on housing construction as a whole was much higher. The percentage of income paid by each family on rent, i.e. 3 to 5 per cent, varied according to the size of the family, the number of members in paid employment or receiving benefits such as pensions or other allowances and changes in the level of family income. Household expenditure on utilities such as heat, water, electricity, gas and telephone had not increased for many years despite rises in the cost of fuel, nor was it likely to increase.

12. The point raised by the representative of Libya regarding payments received by collective farm workers from public consumption funds also required clarification. The ambiguity lay in the English expression "public consumption funds", which was inaccurate. What in fact had been meant was "payments received from collective farm funds by workers in return for labour carried out for the collective". However, the figures were correct. It should be clear, however, that such payments did not include either social income or supplementary income from private plots. The growth in the salary of collective farm workers could thus be seen to be higher than for other categories of the population, a trend which was fully in keeping with the economic goals of the Ukrainian SSR, namely to equalize the standard of living of the rural and urban population. Naturally the entire population had the same share in public consumption funds or social income in so far as entitlements to benefits such as free education and health care were concerned.

/...

(Mr. Slipchenko, Ukrainian SSR)

13. The shorter working hours assigned to workers under the age of eighteen and the ban on night and overtime work with adult working hours, for that age group, had been made necessary by the need to guarantee proper health protection for the young. However, any difficulties which shorter working hours entailed for enterprises were to some extent remedied by setting up labour units or youth brigades to carry out specific tasks with working hours which did not conflict with those of adult workers. Under that system of brigades, the entire unit of young workers was assigned to a specific task and responsible not only for its own internal job allocation and working methods but also for the final product. It was a particularly convenient way of meeting special labour protection requirements. There was also a system whereby older workers earned extra pay for supervising young workers. It was, however, important that juvenile workers should not be regarded as unskilled or unqualified labour. Their need to acquire professional skills and qualifications was constantly borne in mind both at the secondary-school level and in youth training programmes.

14. The representative of Libya had also asked for more information on environmental protection. The environmental protection system was fully integrated in general economic development plans; it formed part of a comprehensive and complex planning process under which it received an adequate allocation of resources. Legislation had, moreover, recently been enacted for the protection of timber, water, land and subsoil resources, for the protection of animal and plant life and for the preservation of the purity of air and water. In connexion with water resources, which were scarce in the Ukrainian SSR, attention was being paid to recirculation and recycling technology. Work on environmental protection was being conducted in 160 scientific research establishments and in 50 institutions of higher learning.

15. Mr. GRIGORIEV (Ukrainian Soviet Socialist Republic), referring to the question put by the representative of Bulgaria on the role played by local State bodies and social organizations in educating young people for marriage, said that all children in the upper grades of secondary school received instruction on marriage and basic family legislation in the Republic, in addition, sex education was being introduced in schools. Trade unions and social organizations also worked in close contact with marriage licence bureaus in organizing discussion groups and lectures by medical or legal experts on marriage and family life, which young couples were invited to attend when they applied for a marriage licence. The marriage licence bureaus also ran counselling services.

16. To a question from the representative of Japan, he replied that citizens of the Ukrainian SSR, who were naturally also citizens of the Union of Soviet Socialist Republics, had the right to marry foreigners. Moreover under article 17 of the law on the legal status of foreigners, foreign nationals enjoyed the same rights as Soviet citizens, including the right to marry citizens of the USSR or any other person as provided in the relevant legislation. Moreover, article 4 of the law on citizenship affirmed the right of citizens of the USSR to marry foreign nationals or stateless persons without it involving a change in his or her citizenship status. In that respect there was full equality between men and women in accordance with the Covenant.

(Mr. Grigoriev, Ukrainian SSR)

17. Finally, in answer to the questions put by the representatives of Norway and France regarding entitlement to paternity leave and the role of the father in bringing up children, it must be emphasized that the Marriage and Family Code of the Ukrainian SSR entitled men and women to absolute equality of rights, even after dissolution of marriage, in bringing up children. Although there was no provision explicitly designed to grant paternity leave, neither was there any specific ban. In some cases, such as the death of the mother, fathers had been known to receive paid leave. It was naturally the moral duty of the father to give his wife every possible assistance in allowing her to rest and recover from her confinement. With regard to granting leave to fathers to look after a sick child, he said that medical certificates for sick leave purposes could be granted not only to the father but also to other family members so that they could look after a sick child when the mother was unable to do so.

18. Mr. TARASYUK (Ukrainian Soviet Socialist Republic), referring to questions raised by the representatives of Japan and France regarding family planning policies, stressed that women's rights were not in any way restricted by legislation. It was up to couples themselves to decide on the size of their families. However, the birth rate in the Ukrainian SSR tended to be low, 60 per cent of families having one child only. Following the tremendous population loss during the Second World War, the State had encouraged larger families by providing not only material incentives but also moral incentives such as medals which were awarded to women with many children, as a tribute to the role of women in society. Large families were also entitled to many benefits, primarily priority in the allocation of housing. Mothers of five children or more were also awarded pensions before they reached pensionable age. Although education was geared to discouraging abortion in view of the low birth rate, abortions were available on demand free of charge and were performed in medically safe conditions. A broad selection of birth control methods was also accessible to all.

19. With regard to facilities for the care of pre-school children, he pointed out that places could now be offered to all children of pre-school age; since nursing infants accounted for such a large proportion, they could hardly be placed in day care centres until weaned. It was worth noting in that connexion that the low retirement age for women, namely 55, freed them to look after their grandchildren. Indeed, many families preferred to entrust their children to the care of grandmothers. Once again, it must be stressed that all such decisions were taken by the family itself.

20. Finally, replying to the Norwegian representative's query regarding food and nutrition for children and pregnant women, he said that the State had scientifically developed a diet suitable for mothers and infants establishing recommended daily allowances of the various essential nutrients. The 2.5 million roubles allocated for free food for children under one year of age were intended simply to improve and rationalize nutrition practices.

21. Mr. Slipchenko, Mr. Grigoriev and Mr. Tarasyuk withdrew.

22. The CHAIRMAN said that, if he heard no objection, he would take it that the Working Group had completed its consideration of the report by the Ukrainian Soviet Socialist Republic (E/1980/6/Add.24) submitted in accordance with Council resolution 1988 (LX) by States Parties to the Covenant, concerning rights covered by articles 10-12.

Report of Barbados (E/1980/6/Add.27)

23. At the invitation of the Chairman, Mr. Moseley (Barbados) took a place at the table.

24. Mr. MOSELEY (Barbados) said that he would like to clarify the ambiguous references to the right to strike in his country's report covering articles 6-9 of the Covenant (E/1978/8/Add.33). There was no legal right to strike in the sense that individuals did not enjoy a right which was not subject to the laws on breach of contract. But there was certainly a right to strike, provided that it was exercised under the aegis of organizations such as registered trade unions.

25. Turning to Barbados' report on implementation of articles 10-12 of the Covenant, he noted that the statements on protection of the family, maternity protection and the protection of children and young persons covered a good deal of ground. Particular attention was drawn to the Employment of Women (Maternity Leave) Act, 1975-76, and the Prevention of Cruelty to Children Act. The latter had a long history but had been brought up to date and contained both provisions for the care of children and indications of the legal penalties for their ill-treatment, neglect or abandonment. In addition, he would point out once again the relevance of recent legislation to remove the concept of illegitimacy from the statute books so that all children would have equal protection. The Succession Act of 1975 allowed illegitimate children to inherit and contained provisions for fathers as well as mothers to acknowledge their parenthood, whereas in earlier times even mothers had been unable to claim parenthood of illegitimate children. In a country where over 60 per cent of all children were born out wedlock, the removal of the stigma and practical disadvantages of illegitimacy represented a great stride forward.

26. With regard to article 11 of the Covenant, the right to an adequate standard of living, he had been asked about the statutory regulation of wages of workers not covered by collective agreements. Part A, subparagraph (b) mentioned statutory regulation of the wages of certain categories of workers under the Wages Council Act and Regulations of 1956. That legislation provided, inter alia, for a Wages Council to be convened where circumstances appeared to require it. Bodies or organizations which normally negotiated workers' wages would form part of such a Council, while the responsible Minister would supervise its work. The object was to ensure that, even in the absence of active trade unions, there could be protection for workers who wished to negotiate wage levels. The reference to the National Assistance Act in the same part of the report was self-explanatory but it was worth emphasizing that that Act and the National Insurance Act were under constant review and the Barbados administration was constantly striving to make them more effective in protecting the underprivileged.

/...

(Mr. Moseley, Barbados)

27. In connexion with the part of the report covering the right to adequate food, he read an extract from his Prime Minister's budget speech of 1 April 1982 setting out government policy on incentives for agriculture. It was the Government's intention to make available a package of incentives and supports similar to those being applied in other major industries. A new Agricultural Development Act was in preparation which would consolidate and rationalize incentives and subsidies available under the Farm Incentive Scheme and introduce new support measures. Meantime it was proposed to introduce subsidies for spraying equipment, rebates on insecticides, fungicides and fertilizers, greatly increased grants for irrigation work, and measures to reduce food and fodder imports by encouraging local production through the development of pastures, the use of sugar by-products, silage, etc.

28. With regard to the final section of the report covering article 12 of the Covenant, the right to physical and mental health, his Government was taking vigorous measures to provide a complete free medical health service. The last sentence of the report pointed out that Government hospital facilities provided free services to the whole population. The extension of those facilities was an important plank in the Government's programme.

29. Mr. VEITIA (Venezuela) noted the statement, in the part of the report on the right to adequate food (art. 11, part B, (2)), that most of the land was held by a couple of hundred families, whereas thousands of farmers (mainly part-time) controlled very small farms of about 0.25 hectares each. In view of the need for effective redistribution of the land to enable agriculture to function properly and to spread the benefits of agricultural development throughout the population, he asked for more information on the measures the administration was taking to that end.

30. Mr. BORCHARD (Federal Republic of Germany) said that the Group had learned earlier that not all parts of the working population were covered by minimum wage agreements. Although some reference was made to wage-fixing in the part of the report covering implementation of article 11 of the Covenant, he would like further information on how people who did not earn a minimum wage were guaranteed an adequate standard of living. The report also failed to mention the housing situation.

31. Mrs. POUDADE (France) asked, with respect to the statement that more than 60 per cent of children were born out of wedlock and the reference in the report to common law marriage as an acceptable norm for consenting adults (art. 10, part A), whether the children of such de facto marriages were considered legitimate or illegitimate. Secondly, the part of the report on the right to an adequate standard of living (art. 11, part B (5)) stated that the control of food prices was a responsibility of the Ministry of Agriculture and that price control inspectors checked regularly against abuses. She asked the representative of Barbados to clarify whether the price system was free, controlled, or a combination of both.

32. Mr. BERGTHUN (Norway) concurred with previous speakers in the view that the report on implementation of articles 10-12 of the Covenant was useful and informative, and added that the extract from the Prime Minister's budget speech on

(Mr. Bergthun, Norway)

agriculture had been very illuminating. With respect to the statement in the report that common law marriage was traditionally recognized as an acceptable norm (art. 10, part A (1) and (2)) he would like to know what was required for common law marriage to be legally accepted as marriage. Secondly, he would like to have more information on what was being done to educate the public on nutrition. Finally, he did not understand the statement in the report that, due to the small size of the island, the storage of food had not been considered a critical problem (art. 11, part B (4), food conservation), and wondered whether it could be elucidated.

33. Mr. AKAO (Japan) asked, with reference to the statistics on the final page of the report, whether the first five figures in the column were percentages or whether, like the other three, they indicated the number per thousand of the population. He also asked if more statistics could be provided to illustrate trends in the areas covered.

34. Mr. ALLAFI (Libyan Arab Jamahiriya) referred to the part of the report on measures taken for the healthy development of children (art. 12, part B (2)) and asked for more information about free medical treatment for schoolchildren.

35. Mr. RUBIN (International Labour Organisation) said that information provided by the ILO Committee of Experts on the situation in Barbados with respect to maternity protection and work by children and young persons appeared on pages 7-8 of its 1982 report (E/1982/41). The report recalled the reservation made by Barbados, when ratifying the Covenant with regard to special protection for mothers before and after child birth. While special measures to restrict the employment of women in harmful work before and after confinement appeared not to exist, there were legislative measures designed to provide security of employment for women taking maternity leave. The report also contained information about the provision of medical care for pregnant women, maternity leave and entitlements to cash maternity benefits.

36. With regard to work by children and young persons, it would be noted that Barbados had ratified a number of relevant ILO Conventions. The Committee of Experts had, however, considered additional information desirable on measures to regulate work by children outside school hours in agriculture, commerce and other non-agricultural activities, measures to specify types of dangerous or unhealthy work prohibited for young persons, and measures to require the medical examination of young persons as a condition for employment in work involving health hazards. More information was also desirable on conditions governing hours of work of children and young persons.

The meeting rose at 12.55 p.m.

