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SESSIONAL WORKING GROUP (OF GOVERNMENTAL EXPERTS) ON THE IMPLEMENTATION  
OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 11th MEETING

Held at Headquarters, New York,  
on Wednesday, 14 April 1982, at 10.30 a.m.

Chairman: Mr. BURWIN (Libyan Arab Jamahiriya)

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The meeting was called to order at 11 a.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)  
BY STATES PARTIES TO THE COVENANT, CONCERNING RIGHTS COVERED BY ARTICLES 13 TO 15  
(continued)

Report of the Ukrainian Soviet Socialist Republic (E/1982/3/Add.4)

1. At the invitation of the Chairman, Mr. Slipchenko (Ukrainian Soviet Socialist Republic) took a place at the Committee table.
2. Mr. SLIPCHENKO (Ukrainian Soviet Socialist Republic), introducing the report in document E/1982/3/Add.4, said that the Ukrainian SSR had attempted to indicate the material basis for implementation of the rights covered by articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights, together with the relevant constitutional guarantees.
3. Illiteracy had been eliminated in the Ukrainian SSR some 50 years earlier. Approximately two thirds of the population had received secondary or higher education, and state expenditure on education continued to increase. Distinguishing features of the socialist way of life were its concern for the development of education, including that of workers, and its support for the development of science, culture and art. The economic and spiritual potential of Ukrainian society was growing. The Ukrainians, with the advent of the mass media, had become widely educated, and had access to a growing network of cultural and educational institutions offering spiritual and aesthetic enrichment.
4. The culture of the Ukrainian SSR was not developing in isolation, however. Interaction with other cultures was beneficial, a fact attested to by the development over the past 60 years of the fraternal cultures of the peoples of the Soviet Union. Cultural values were the common heritage of mankind. Mutual respect for different cultures and historical values and achievements was necessary to establish mutual confidence between States and to enhance international peace and security.
5. Mr. BOUFFANDEAU (France) said that the Ukrainian SSR was making commendable efforts to promote education, particularly in preparing school children for working life. The reference in paragraph 20 of the report (E/1982/3/Add.4) was puzzling, since it suggested that each of the pre-school establishments referred to had only five pupils. He would welcome clarification. The attempts to provide education in different languages could create difficulties. There was no precise information in the report on the number of schools in which such education was available, or on the number of students to whom it was provided. The report referred to instruction in Moldavian, which presumably was the same language as Romanian.
6. Reference was made in the report to working students, but no information had been given on the percentage of students in higher education who also had jobs.

(Mr. Bouffandeau, France)

Nor was it clear from the report what legislation had been enacted, in accordance with article 13 (3) of the Covenant, to allow parents to choose schools for their children other than those established by the public authorities.

7. Mr. MRACHKOV (Bulgaria) said that the Ukrainian SSR had made remarkable efforts to implement the provisions of the Covenant. In certain areas the legislation enacted went beyond its provisions. He requested further information on the provision of extramural education.

8. Mr. BORCHARD (Federal Republic of Germany) said that mention was made in the report of a wide range of educational achievements.

9. The report, in paragraph 159, referred to rates and methods of payment of authors' fees, but the exact relationship between legislative measures and the resolutions adopted subsequently was not clear. Did an author's remuneration include a share of any profits? Were there any limits on an author's income? Further details would be welcome.

10. It would be useful to know what access individuals had to information published in the fields of science and culture throughout the world. Were individuals free to subscribe to magazines of their choice in particular fields, or was it necessary to seek Government approval? The report did not make it clear who decided what should be published or in what quantities, or whether works were to be translated. Were there any attempts to promote Ukrainian literature in other countries, and vice versa? Information on the guidelines applied would be welcome.

11. Mr. AKAO (Japan) said that the Ukrainian education system seemed to be well developed, providing free tuition in a number of areas. He wished to know what percentage of the Government's budget was devoted to education and what provision was made for the study of foreign languages. Were such studies compulsory?

12. The report referred, in paragraph 97, to the number of foreign students studying in the Ukrainian SSR, but no breakdown of the figures was provided. Nor was it clear whether such educational facilities were provided by the Ukrainian SSR as part of its economic and technical assistance programme or whether students paid a fee.

13. The report dealt with the question of foreign films at some length, but did not state whether foreign films were shown in ordinary cinemas, as well as under special exchange programmes. Further details of the exceptions referred to in paragraph 155, relating to copyright, would be welcome.

Report of the Union of Soviet Socialist Republics (E/1982/3/Add.1)

14. Mr. SOFINSKY (Union of Soviet Socialist Republics), introducing the report in document E/1982/3/Add.1, said that he wished to focus attention on the more substantive aspects contained in the report and to provide additional information which had become available since its submission. The report indicated the legal basis in the Soviet Union of the rights protected by articles 13 to 15 of the Covenant and the measures used to guarantee the implementation of such rights, as well as the extent to which they had been implemented in practice. The Soviet Union regarded the commitments contained in international instruments as having binding force, rather than constituting mere moral guidelines.

15. The aims of the Soviet educational system were set out in the legislation mentioned in the report and were implemented in practice in establishments of many kinds, in accordance with the provisions of articles 13 (1) of the Covenant. That was especially true of the aim to give everyone the chance to be a useful member of a free society, a society free from the exploitation of man by man, free from the inequality which resulted from the means of production belonging to a few while others were forced to sell their labour. The legislation provided that there should be a unified system of instruction imparting a communist education to all. That meant, in the first place, imparting a considerable body of knowledge about the nature of human society. Secondly, it meant education in the spirit of a morality which emphasized collectivism as opposed to individualism and egotism, and which viewed inequality or living on the work of others as amoral. It also meant education in a spirit of devotion to progress, humanism, democracy, freedom, justice, equality, and fraternity with all peoples, except of course those who opposed those values. It linked patriotism with internationalism and devotion to peace, without which the enjoyment of human rights would be impossible. In addition, it taught industriousness, honesty, respect for law and the rules of society, a proper attitude to elders and women, and the value of physical development. It was the task of the Soviet educational system to develop all those aspects of communist morality.

16. Article 13 (2) of the Covenant provided that primary education should be compulsory and free. Together with article 14, it envisaged that the principal of compulsory education free of charge should be extended still further. In his country, education was already free from the lowest to the highest levels and not only primary but also secondary education was compulsory. The right of citizens to free education, including free school textbooks, was enshrined in article 45 of his country's Constitution, and that right was backed up by provision of the material resources necessary for implementing it.

17. The extent of the achievement reflected in the report was all the more striking if compared with tsarist times, when over 80 per cent of the population was illiterate and, in parts of central Asia, between 97 and 99 per cent. Today, some of those outlying areas had overtaken the central areas of the country and even enjoyed higher levels of secondary and higher education. Whereas in tsarist times, over 98 per cent of the population of Uzbekistan was illiterate, today the capital of the Uzbek Soviet Socialist Republic had 43 higher educational establishments and universities.

(Mr. Sofinsky, USSR)

18. His country's educational system was based on the principle of continuity and avoided creating "dead-ends". One of its features, not emphasized in the report, was the effort made to provide equality of opportunity in obtaining education. Because of the differences between urban and rural areas and between different parts of the country, conditions had to be created to improve educational opportunities for less favoured areas and individuals. Such differences were taken into account, for example, by special allocations of places at all-Union educational establishments such as Moscow State University for students from Republics other than the RSFSR. Similarly, it was obviously easier for children with academic backgrounds to make the transition from secondary to higher education. So as to afford greater opportunity for the less favoured to make the same transition, training faculties had been established for young factory and farm workers at higher educational establishments which enabled them to repeat the later stages of their secondary education courses and, subject to satisfactory performance, to enter such establishments without a further qualifying examination.

19. There were ample statistics in the report to demonstrate how fully his country's citizens enjoyed the right to education and the right to take part in cultural life and benefit from scientific progress. However, he wished to make one further point about a law which had been adopted after the report had been prepared. He was referring to the law on the legal status of foreign citizens in the Soviet Union which had come into force on 1 January 1982. In that part of the law concerning the rights of foreign citizens in areas covered by articles 13 to 15 of the Covenant, it was laid down that they had the right to receive education on an equal footing with citizens of the Soviet Union in conformity with the system established by Soviet legislation. Foreign citizens accepted into Soviet educational establishments enjoyed the same rights and obligations as Soviet students. Similarly, foreign citizens had the same rights and obligations as Soviet citizens so far as enjoyment of cultural benefits was concerned. There were currently some 89,000 foreign students from 148 different countries being educated in Soviet educational establishments at Soviet expense.

20. Mr. MRATCHKOV (Bulgaria) said the report showed that the rights to education and to take part in cultural life were widely implemented in the Soviet Union. Not only were they recognized by the Constitution and incorporated in current legislation, but all necessary measures were taken by the Government to ensure their practical implementation through the creation of large numbers of educational establishments, research institutions etc. However, since the Soviet Union was in effect a federal State, he would like to ask what was the division of responsibilities between the central Government and the Union Republics in the educational and cultural fields. Secondly, he wondered if more information could be provided on the specific methods of training scientific personnel for different branches of the economy and how that work was organized.

21. Mr. VEITIA (Venezuela) said that he had three specific questions. With regard to the provision in article 15 (4) of the Covenant to the effect that States Parties recognized the benefit of encouraging international contacts and co-operation in the scientific and cultural fields, he wished to know if there was

(Mr. Veitia, Venezuela)

any restriction in the Soviet Union on the dissemination of cultural material from abroad. His second question referred to the right to education and the statement in the report that, in addition to the language in which instruction was conducted, students could if they wished study the language of another people of the Soviet Union. Did that rule out studying the language of a non-Soviet people? His third question concerned the statement in the report that violations of the laws concerning the separation of school and church entailed criminal liability. Did that mean that it was a criminal offence in the Soviet Union to express religious beliefs in an educational establishment, despite the fact that they formed part of general culture?

22. Mr. AKAO (Japan) asked, whether the legislation recently enacted in the Soviet Union entitled foreign nationals to the same status as Soviet citizens in the sphere of higher education, whether foreigners enjoyed the same privileges with regard to fees and other expenses in the educational system as a whole and whether foreign teachers, for example language teachers, were granted the same status and rights as Soviet teachers.

23. Mr. BOUFFANDEAU (France), elaborating on the point raised by the representative of Bulgaria, asked for further details on the division of responsibilities, between the Soviet Union itself and the Republics as far as educational and cultural funding was concerned. It would also be interesting to know whether facilities for language teaching were concentrated in Moscow and whether standards and opportunities were the same in the outlying Republics. In connexion with article 13 (3) of the Covenant stipulating that parents must be free to ensure the religious and moral education of their children in conformity with their own convictions, he would welcome more information on the educational opportunities available outside the State system and on the penalties imposed for offences under the law concerning the separation of school and church. As to the description given by the representative of the Soviet Union of the whole educational process as being geared to inculcating a monolithic outlook, surely it implied that different educational systems were not held in very high esteem and thus conflicted with article 13 (1) of the Covenant whereby the purpose of education was to promote understanding, tolerance and friendship among all nations.

24. Mr. ALLAFI (Libyan Arab Jamahiriya) observed that it would appear difficult for some foreign nationals to reconcile their own political convictions with the goal of Soviet higher educational establishments which, according to the report, was to imbue students, with communist consciousness and culture. He asked whether the publication of foreign literature in translation was governed by any specific regulations or conditions and whether Russian was in fact the only official language of instruction in schools or whether other languages also had official status.

25. Mr. BORCHARD (Federal Republic of Germany) said that he would like more details on certain informal aspects of the Soviet educational system from pre-school facilities to university level such as whether there was any dialogue between the younger and older generations, how far the family, the Communist Party and trade unions were involved in educational activities, the educational guidance provided to schoolchildren and students, the extent to which new educational methods were incorporated and changes introduced in the curriculum, the facilities available for learning foreign languages, particularly whether Soviet citizens of German descent had the opportunity to learn German, and the extent to which educational policies in the Republics with a significant Islamic population tended towards assimilation or allowed for a degree of religious and cultural identity to be maintained. More information would also be welcome on how far career prospects were dictated by the imperatives of a planned economy, i.e., on how the number of qualified doctors, teachers and engineers graduating at any one time could be tailored to State requirements, on whether opportunities were provided for young poets to publish and finally, on whether there were any plans in the Soviet Union to broaden the range and increase the number of foreign films imported and put into mass circulation.

26. The CHAIRMAN proposed that the representatives of the Ukrainian Soviet Socialist Republic and the Soviet Union should be given the opportunity to study the questions raised and to prepare their answers for the next meeting.

27. It was so decided.

28. Mr. Slipchenko (Ukrainian Soviet Socialist Republic) withdrew.

#### Organization of work

29. The CHAIRMAN said that following the decision of the Economic and Social Council at its 6th plenary meeting regarding the programme of work of the Working Group, two informal papers had been prepared and would be introduced by the Secretary.

30. Mr. AGBASI (Secretary of the Working Group) said that the only difference between the two proposals was that Informal Paper No. 1 suggested that the Working Group should devote one whole day to the item "Review of the composition, organization and administrative arrangements of the Sessional Working Group", while Informal Paper No. 2 proposed that a certain amount of time should be devoted to that item every day.

31. Mr. SOFINSKY (Union of Soviet Socialist Republics) said that the surest way of avoiding protracted indecision between two alternatives was to combine them. He accordingly suggested that the Working Group should devote some time every day to reviewing its composition, organization and administrative arrangements and that Thursday, 22 April, should be reserved exclusively for discussion of that item.

32. Mr. BORCHARD (Federal Republic of Germany), observing that the Working Group was already one day behind schedule, said that he would be reluctant to accept any change in the original programme that would entail inconvenience to anyone who had made a special journey to New York for the purposes of presenting his Government's report. The best solution would be to devote two full days to reviewing the composition, organization and administrative arrangements after the Working Group had concluded its consideration of the reports. However, he had no objection to the item being discussed in between reports if the Working Group was ahead of schedule.

33. Mr. AKAO (Japan) agreed with the representative of the Federal Republic of Germany that it would be preferable to set aside two whole days at the end of the session to review the composition, organization and administrative arrangements of the Working Group.

34. Mr. BOUFFANDEAU (France) said that since the programme of the Working Group had already proved to be somewhat strenuous, he agreed that the review should be held after consideration of the reports.

35. Mr. MARDOVICH (Byelorussian Soviet Socialist Republic) said that he found both proposals acceptable and would therefore support a flexible approach.

36. Mrs. de ARANA (Peru) considered that a combination of the two alternatives would provide the most satisfactory solution.

37. The CHAIRMAN proposed that the Working Group should attempt to make up for lost time in order to be able to devote more than one day to the review, on the strict understanding that in any event at least one day would be reserved for consideration of that item. The schedule would thus be the following. The reports of Mexico, Australia and Hungary would be discussed on Thursday, 15 April; the reports of Mongolia and Norway on Friday, 16 April; the reports of Romania and the Federal Republic of Germany on Monday, 19 April; the reports of Sweden and the United Kingdom on Tuesday, 20 April. Wednesday, 21 April, and Thursday, 22 April would be devoted to the review of composition, organization and administrative arrangements, and Friday, 23 April, to the adoption of the report of the Working Group.

38. It was so decided.

The meeting rose at 1.10 p.m.