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ON CIVIL AND
POLITICAL RIGHTS**



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SUMMARY RECORD OF THE 154th MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 31 July 1979, at 3 p.m.

Chairman: Mr. MAVROMIATIS

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GE.79-2985

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT: INITIAL REPORTS OF STATES PARTIES DUE IN 1977 (continued)
Ukrainian SSR (CCPR/C/1/Add.34) (continued)

1. Mr. PRADO VALLEJO congratulated the Ukrainian Government on its report. He noted from that report that the rights and freedoms affirmed in the International Covenant on Civil and Political Rights had been guaranteed to all Ukrainian citizens by the 1937 Constitution and by subsequent legislation long before the entry into force of the Covenant. Since the provisions of the Covenant were reflected in existing legislation in the Ukrainian SSR, he would like to know whether Ukrainian citizens could refer to that instrument in the Ukrainian courts and whether a Ukrainian judge would allow a citizen to exercise the rights accorded to him in the Covenant.
2. In connexion with article 3 of the Covenant, the report stated that there was complete freedom of employment in the Ukrainian SSR and that citizens had the right to choose their occupation, "taking due account of the needs of society". Since freedom of employment was thus restricted, it would be interesting to know who defined and confirmed the needs of society.
3. In relation to article 9 of the Covenant, the report stated that detention in custody was allowed on certain grounds, without specifying how long such detention could last. It was important to have that information, however, since detention in custody involved one of the basic principles of the Covenant.
4. Article 56 of the Constitution provided that citizens of the Ukrainian SSR had the right to lodge a complaint against the actions of officials if those actions contravened the law or infringed the rights of citizens; furthermore, the Criminal Code of the Ukrainian SSR established the criminal liability of officials. Those provisions were consistent with the Covenant, but further details of the procedure open to citizens in the event of criminal liability of officials would be desirable.
5. The Spanish version of the report, on the subject of article 12 of the Covenant, referred to the "problema" (problem) of liberty of movement and of the freedom to choose a place of residence. He wondered whether the word "problema" was an accurate translation. In any event what was involved was not a problem but a right. Furthermore, it appeared from the same passage of the report that article 10 of the Civil Code of the Ukrainian SSR restricted the freedom to choose a place of residence, since citizens were free to choose only "in accordance with the law". He would like to know exactly what restrictions the law thus imposed on the freedom provided for in the Covenant.

6. Article 20 of the Code of Criminal Procedure of the Ukrainian SSR stated that examination of cases in all courts was public, except where that was contrary to the interest of protecting State secrets. The concept of a State secret was open to a very wide interpretation and could be used to avoid a public hearing. It should therefore be made clear who decided whether or not a State secret was involved and whether a citizen who considered that no State secret was involved could arrange for a public examination.

7. The report also stated, in connexion with article 14 of the Covenant, that public court hearings had "an educational effect". What sort of educational effect were court hearings intended to have by being made public?

8. The report also indicated that judges and people's assessors tried cases under conditions which precluded the exercise of any external influence upon them. It would be interesting to know what measures were taken to preclude the exercise of external influence, particularly since elected judges and people's assessors were exposed to local political or social influences which might have an untoward effect.

9. Ukrainian law prohibited the preaching of religious dogmas and the performance of rites which involved disturbances of public order. He wondered what religious practices could disturb public order and whose responsibility it was to say that any particular practice might jeopardize public order. Those details were all the more important since article 50 of the Ukrainian Constitution guaranteed freedom of conscience. The same article 50 provided that Ukrainian citizens had the right to conduct atheistic propaganda, while the report stated quite clearly that atheistic propaganda of a type which offended the religious feelings of citizens was prohibited. Was there not some sort of contradiction in that case?

10. As far as article 19 of the Covenant was concerned, article 48 of the Constitution of the Ukrainian SSR provided that Ukrainian citizens were guaranteed freedom of speech, of the press, and of assembly and demonstrations "in accordance with the interests of the people and in order to strengthen and develop the socialist system". He would like to know who determined what the interests of the people were in the event of disagreement between a citizen and the authorities on that point, and what the citizen could do to ensure respect for his rights and freedoms if he considered that they had been violated. In view of the principles embodied in the Ukrainian Constitution, he also wondered whether Ukrainian citizens had the right to hold opinions that differed from those of the authorities, in other words, the right of dissidence, since that formed part of the freedom of expression. If that right existed, it would be interesting to know what measure guaranteed it. According to the Ukrainian report, the freedoms provided for in article 19 of the Covenant could not be exercised to the detriment of State or public security. He wondered how that condition thus embodied in Ukrainian legislation operated. How was it decided what constituted public security and when public security was threatened to the extent that the freedoms of the citizen had to be restricted? What measures were applied to rectify such a situation?

11. In most countries, any citizen about whom the press or the authorities had disseminated incorrect information or adverse opinions had the right to demand redress. Was that right, which enabled the citizen's freedom of expression to be defended, guaranteed under Ukrainian legislation?

12. In connexion with article 20 of the Covenant, the report stated that article 66 of the Criminal Code established criminal liability for propaganda or agitation designed to incite racial or national hostility or discord. He wished to know whether those provisions related to social discord, political discord, or politico-social discord? He also wished to know whether any efforts on the part of some citizens to bring about social or political change could be considered as agitation designed to incite national discord?

13. The Constitution of the Ukrainian SSR guaranteed the right to freedom of association, as provided for in article 22 of the Covenant. However, article 49 of the Constitution restricted that right by stating that the establishment of associations must be consistent with the aims of building communism. He wondered whether there could be associations which were not established in accordance with those aims, or whether the right of association existed only for the purpose of building communism. Article 6 of the Ukrainian Constitution stated that the Communist Party of the Soviet Union was the leading and guiding force of Soviet society. Was it possible for other categories of political association to exist outside or together with the Communist Party? Apart from trade unions, the All-Union Leninist Young Communist League and co-operatives, what were the "other public organizations" which, in accordance with article 7 of the Constitution, participated in managing State and public affairs? Since, according to that report, the trade unions' main tasks were to protect the legitimate interests of all working people and to improve their working and living conditions, what means did the unions have of bringing about that sort of improvement in the event of a conflict between them and the authorities? In extreme cases would the workers' associations have the right to strike in order to obtain improvements in their working and living conditions?

14. Article 25 of the Covenant dealt with the right to vote and to be elected. Since in accordance with article 6 of the Constitution the Communist Party was the nucleus of the political system, could any Ukrainian citizen who was not a member of the Communist Party be elected to public office? Or, on the other hand, was it essential to be a member of the Communist Party in order to be able to stand for election? Article 89 of the Ukrainian Constitution provided that the organizations listed and "other public organizations" had the right to nominate candidates for elections of Deputies. What were those "other public organizations" which were able to nominate candidates? Could a citizen who was not a member of the Communist Party be a candidate?

15. The report also stated that persecution for criticism was prohibited. That was gratifying to hear, but what sort of criticism could the Ukrainian citizen make? Could he make criticism of a political nature? Or, on the other hand, could the Ukrainian citizen be prosecuted for levelling political criticism against the Ukrainian authorities or the Communist Party of the Ukrainian SSR?

16. Lastly, referring to the final paragraph of the report, he wished to know what was meant by "strengthening of the system of people's control", what purposes it served and what means were envisaged for achieving that goal.

17. Mr. BOUZIRI thanked the Government of the Ukrainian SSR for its co-operation with the Committee, and congratulated the Ukrainian delegation on the excellent report it had submitted and the additional information which it had given at the previous meeting.

18. Elaborating on a question asked by Mr. Prado Vallejo, he inquired whether the Covenant, as signed and ratified by the Ukrainian SSR, had been incorporated into Ukrainian domestic law. If it had not, could the Covenant nevertheless be invoked before the courts in cases of violation of the rights and freedoms set out therein?

19. Referring to article 32 of the Ukrainian Constitution, which was cited in connexion with article 2 of the Covenant (guarantee to all citizens of the rights recognized in the Covenant without distinction of any kind), he expressed surprise at the fact that political ideas were not included among the grounds on which discriminatory treatment could not be justified. That omission, which in his view was probably a substantive one also occurred in the part of the report relating to article 14 of the Covenant (equality before the law).

20. With regard to the "people's courts" and to the fact that the courts in the Ukrainian SSR were elected, it would be useful to know who elected the judges, what was the composition of the "people's courts", whether they were separate from the judicial courts and administrative tribunals, and how the independence of justice was assured.

21. Turning to the part of the report relating to article 3 of the Covenant (equal rights of men and women), he considered that the extent of participation by women in public, economic and social life in the Ukrainian SSR was remarkable. He inquired to what extent women participated in the upper echelons of the Communist Party of the Soviet Union, which led and guided Ukrainian society.

22. With regard to the provisions of article 6 of the Covenant (right to life) he noted that in the Ukrainian SSR the death penalty was an exceptional measure. He would nevertheless like to know what crimes were punished by the death penalty and whether there were economic crimes. If so, were such crimes punishable by death in certain cases?

23. In connexion with article 9 of the Covenant (right of everyone to liberty and security of person), he wished to know how long a person could be detained before he could insist on seeing his defence counsel. Or could he see his defence counsel immediately?

24. It was stated that in the Ukrainian SSR the freedom to choose one's residence within the territory of a State, which was enshrined in article 12 of the Covenant, was subject to the law, in accordance with article 10 of the Civil Code. It would therefore be interesting to know whether the law imposed restrictions on that choice. For example, could a Ukrainian citizen living in Kiev freely move to Yalta or to any other part of the Soviet Union? What were the administrative formalities and conditions to be complied with in order to do that? What formalities and conditions did a Ukrainian have to comply with in order to travel abroad, whether as a tourist or student or to settle permanently? Were there many Ukrainian tourists? Were they entitled to a foreign currency allowance?

25. Referring to information published in a study relating to the refusal to allow the Tartars who had been expelled from Crimea for collaboration with nazism to return to their homes, he inquired what the exact position was on that question.

26. Reverting to the fact that political ideas were not among the grounds on which no distinction could be based in relation to article 14 of the Covenant (equality of citizens before the law), he asked whether a contrario that omission did not mean that political beliefs were taken into account when judgement was rendered. He would like to know what was covered by the term "socialist concept of justice" mentioned at the end of the first paragraph on page 13 of the report.

27. With regard to article 17 of the Covenant (prohibition of arbitrary or unlawful interference), it was stated in the first paragraph of page 20 of the report that in certain cases the postal services could seize and intercept correspondence. What were those cases, which were determined by law in chapter 16 of the Code of Criminal Procedure?

28. He noted with satisfaction that the right to freedom of thought, conscience and religion, enshrined in article 18 of the Covenant, existed in the Ukrainian SSR. The right to conduct atheistic propaganda also existed but propaganda in favour of religion did not seem to be permitted. Why was that so? Was atheistic propaganda compatible, in the absence of religious propaganda, with the fact that Ukrainian legislation protected believers who were members of religious associations from encroachments on their lawful rights? Admittedly, Ukrainian legislation prohibited any atheistic propaganda of a type which offended the religious feelings of citizens or involved encroachments on their person and rights, but atheistic propaganda was in itself an encroachment, particularly if religious propaganda was not permitted.

29. Turning to the application in the Ukrainian SSR of article 22 of the Covenant (right to freedom of association), he asked whether the fact that one party, in the case in question the Communist Party of the USSR, was pre-eminent was really in keeping with the spirit of the Covenant, even if other parties also existed.

30. It would be helpful to know whether Ukrainian trade unions could call strikes for reasons relating strictly to the occupation concerned (wage claims, improvement of working conditions). If not, was the spirit of the Covenant genuinely respected?

31. Noting that the Constitution of the Ukrainian SSR recognized the personal property of the citizen (place of residence, savings derived from work), he inquired who, on the basis of article 23 of the Covenant (right of the family), inherited such personal property on the death of the husband, whether, in the event of there being more than one heir, a distinction was made between male heirs and female heirs, and what were the rights of the widow in relation to those of the children.

32. With regard to the protection of the rights of ethnic, religious or linguistic minorities, enshrined in article 27 of the Covenant, he inquired whether in the Ukrainian SSR Soviet citizens having nationalities other than Ukrainian were required to learn either Ukrainian or Russian or both those languages.

33. Referring to article 31 of the Constitution of the Ukrainian SSR, which established the unitary nature of Soviet citizenship, he asked what conditions a non-Ukrainian must fulfil to acquire that citizenship, on what grounds a person could be deprived of his citizenship, if he could be deprived thereof for political reasons, if there were precedents in that respect, and whether in that connexion the Ukrainian SSR acted on its own account or by delegation of powers from the USSR.

34. Mr. TARNOPOLSKY associated himself with the congratulations addressed to the Ukrainian delegation for the well-organized report it had submitted. The Ukrainian SSR had been ravaged by two world wars and had now adopted a new Constitution which brought civil liberties on a level with international standards.

35. Noting that the first paragraph of the Covenant recognized the inherent dignity of all members of the human family and their equal and inalienable rights, thus including those of dissidents and deviationists, and considering that the degree of civilization of a society was measured by the way in which it treated such persons, he wished to join Sir Vincent Evans and Mr. Prado Vallejo in inquiring what their position was in the Ukrainian SSR.

36. As an instrument intended to be universal in scope, the Covenant basically defined the extent to which a State could limit the rights and freedoms not only of its nationals but, except with regard to the provisions of article 25, of any individual in its territory. It was therefore strange that in article 32 of the Ukrainian Constitution, quoted on page 2 of the report, political beliefs or opinions were not included among the grounds which could not affect the equality of citizens before the law. It was all the more strange since the Constitution gave a particular political party a dominant position.

37. Referring to article 1 of the Covenant (right of self-determination of all peoples) and to article 69 of the Ukrainian Constitution, which established the right of the Ukraine freely to separate from the USSR, he inquired how that right might be exercised, whether a discussion on that question had been opened and whether proposals to that end were being made. If so, were such proposals considered lawful or unlawful? Would they be regarded as an act of sedition and propaganda against the State? In short, what was the situation in practice? Furthermore, what was the position in the Ukrainian SSR of the Ukrainian language in relation to the Russian language with regard to books, magazines, radio and television broadcasts and teaching? What was the situation of Ukrainian minorities in that respect in the other republics of the USSR?

38. Turning to the part of the report relating to article 2 of the Covenant (protection of the civil and political rights of citizens), he observed that under the Code of Criminal Procedure of the Ukrainian SSR criminal proceedings were instituted against officials for unlawful actions committed in the performance of their duties, and that the constitution provided for the compensation of citizens for damage thus caused. He would like to know how many officials had been found guilty since 1976, what rank they had held, the nature of the unlawful actions and the circumstances in which they had been committed, and how many successful claims for compensation had been brought.

39. Noting that, in accordance with articles 169 and 165 of the Ukrainian Constitution, the Procurator of the Republic was totally dependent on the Procurator-General of the USSR and drawing attention to the extreme importance of that office, he inquired how the Procurator-General of the USSR was appointed, what was the duration of his term of office, whether he could be dismissed and by whom, how he could assert his independence vis-à-vis those who appointed and dismissed him, and whether the free exercise of powers with regard to the administration of justice and the protection of civil and political rights was possible in the Ukrainian SSR.

40. With regard to the application in the Ukrainian SSR of article 3 of the Covenant (equal rights for men and women), he shared the view of other members of the Committee that the status of women in that country was praiseworthy.

41. Turning to the question of the death penalty (article 6 of the Covenant, which established the right to life), he said it was his understanding that in the Ukrainian SSR the death penalty was prescribed for economic crimes. He had heard reports of four recent death sentences on that charge and therefore wished to ask whether the abolition of the death penalty was being discussed in the Ukrainian SSR, at least with regard to the reduction of the number of crimes punishable by that penalty.

42. He associated himself with the comments made by Sir Vincent Evans at the previous meeting concerning imprisonment in the context of article 7 of the Covenant (prohibition of torture and cruel, inhuman or degrading treatment). Contrary to what might be inferred from the part of the report relating to that article, the article was not concerned only with torture: it also covered the relationship between the term of imprisonment and the seriousness of the crime.

43. With regard to the application of article 8 of the Covenant (prohibition of slavery and the slave trade), which must also be considered in the context of article 7, he referred to article 38 of the Ukrainian Constitution and asked by whom and in what way employment was guaranteed to the citizens of the Republic. Furthermore, he would like to know how the State discharged its obligation under the terms of the above-mentioned article of the Constitution to ensure the right of citizens to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education before finding anyone guilty of the crime of parasitism.

44. It was stated in the second paragraph on page 8 of the report that there was no provision in the Ukrainian SSR for a punishment consisting of deprivation of liberty combined with hard labour. There was, however, a code of re-education through labour and there were establishments for re-education through labour. What was the nature of the labour performed, and what were the working hours, number of working days per week and days of rest? How far did the work correspond to the convicted person's trade or profession, and was it in keeping with his inclinations, abilities, training and education, as provided for in article 38 of the Constitution? He gathered that short-term sentences were served in the Ukrainian SSR and that long-term sentences might be served outside its territory. In such a case, was the convicted person able to use his own language or did he have to use that of the region to which he was sent, or Russian? What contact did he have with his family? Was he permitted to use his own language on the occasion of family visits, or did he have to speak through an interpreter on account of the presence of warders?

45. With regard to confinement for psychiatric reasons, it should be noted that, while article 18 of the Covenant authorized certain limitations on the freedom to manifest one's religion or beliefs and article 19 on the exercise of freedom of expression, they did not authorize States to place restrictions on the right of anyone to hold opinions or beliefs. The question was therefore what criteria were applied when someone was confined against his will. Could a person be confined merely because his opinions were very different from those of the society in which he lived? What opportunity was there to submit arguments or to be represented by a legal adviser?

46. On the subject of liberty of movement and choice of residence (article 12 of the Covenant), was anyone in the Ukrainian SSR obliged to get permission from some official to change his place of residence or to travel? If so, on what basis was that justified?

47. It clearly appeared from the wording of article 12 of the Covenant that when a State placed any restrictions on liberty of movement, for the purposes referred to in that article, the onus was on the State to prove that such restrictions were necessary. In that connexion, under what conditions were Jews, for example, allowed to travel to Israel? Were whatever restrictions there might be imposed by the Ukrainian Government or by the Government of the USSR?

48. With reference to article 12, paragraph 4, of the Covenant, which stated that no one should be arbitrarily deprived of the right to enter his own country, he asked whether either the Ukrainian Government or the Government of the USSR could deprive someone of his citizenship and, if so, for what reasons. In such a case, what opportunity was the person concerned given to submit his own arguments?

49. It appeared from the provisions of article 150 of the Ukrainian Constitution that the higher courts were totally dependent on the Soviets which elected and could remove them, a situation which was not compatible with the independence of tribunals proclaimed in article 14, paragraph 1, of the Covenant.

50. He wished to know what measures were adopted, with respect to publicity of court hearings, to make the right set out in Ukrainian law effective. In practice, it was easy enough for any State to arrange for the court to be crowded with plain-clothes policemen or other persons chosen by it so that there was no room for members of the defendant's family or for impartial observers.

51. It was stated in the report that the accused had the right to petition for the interrogation of witnesses (p.15, fourth line) and the right to petition for the interrogation of witnesses during the preliminary inquiry (p.16, last paragraph). He wished to know to whom such a petition would be addressed and whether the person or body to which it was addressed could reject it. In other words, how, in practice, was the accused guaranteed the right to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him - the principle proclaimed in article 14, paragraph 3 (e), of the Covenant?

52. With regard to article 17 of the Covenant and article 53 of the Ukrainian Constitution, he inquired whether details could be given of the laws authorizing exceptions to the principle of freedom of interference with privacy?

53. Article 50 of the Ukrainian Constitution, relating to freedom of conscience, guaranteed the right to conduct atheistic propaganda. Did that mean that religious propaganda or preaching was not authorized? If so, the principle of equality in the exercise of the right to freedom of thought, conscience and religion, as proclaimed in article 18 of the Covenant, would be denied.

54. Likewise, according to the report (p.21), the separation of the school from the Church meant that the teaching of any kind of religious dogma in schools was prohibited. Did that also apply to the dogma of atheism?

55. The report (in its English version) stated that there was an ecclesiastical seminary in the Ukrainian SSR. That appeared to be very little in a country where there were between 500,000 and 1 million Jews, not to speak of Jehovah's Witnesses, Baptists or Unitarians. He would like to know what rights such persons had, in respect not only of seminaries and religious instruction, in particular Bible classes, but also of publications.

56. With regard to article 19 of the Covenant and the question of dissidents, he asked how peaceful dissidence could constitute such a threat to national security, public order, health or morality that it was necessary to condemn individuals to years of imprisonment, work camps or exile. The reports submitted to United Nations bodies suggested that the Ukraine had made a remarkable recovery from the sufferings and privations of two world wars. The report now being studied stated, furthermore (p.1), that the draft constitution had been the subject of a popular and general discussion in which 32 million citizens had taken part. In a system which enjoyed such broad acceptance, how could peaceful dissidence amount to a threat? It would be interesting, in that connexion, to have a list of all laws restricting freedom of expression and the corresponding penalties, and also, if possible, data on the average length of the sentences handed down in that respect in the period since the Covenant had entered into force.

57. Referring to articles 21 and 22 of the Covenant, he asked what laws might place restrictions on the right of assembly and association.

58. He would also like to know whether in the Ukrainian SSR an individual who regularly attended a church, mosque or synagogue was able at the same time to be a member of the Communist Party.

59. Article 3 of the Constitution stated that the organization and activity of the Soviet State were in conformity with the principle of democratic centralism. That principle might be taken to mean that freedom of discussion prior to the taking of a decision was permitted, but that once a decision had been taken it could not be debated further or dissented from. If such was the case, the article amounted to a restriction on the freedom of expression and the right to take part in the conduct of public affairs, and would therefore be contrary to articles 19 and 25 respectively of the Covenant.

60. With reference to article 27 of the Covenant, the report stated that the necessary conditions for the free development of people of all nationalities or ethnic or national groups were guaranteed by the law. Did that guarantee extend to other groups which did not fall within that definition, such as the Tartars or Jews? Were those groups entitled to have their own schools, to publish in their own language or to obtain publications in their own language from abroad?

61. Mr. HANGA said that the very full and detailed report submitted by the Ukrainian SSR made clear the consistency of the domestic legislation in force in that country with the standards set forth in the Covenant. The figures relating to the popular consultation on the subject of the draft constitution were very impressive.

62. With respect to the integration of the provisions of the Covenant within national legislation, the important point was not that those provisions should be directly applicable in a country's legal system or that citizens could cite them, but that their content should be incorporated in domestic legislation, thus guaranteeing equivalent protection for the rights in question.

63. With reference to article 2 of the Covenant, he would like clarification concerning the role of the "procurators" (article 162 of the Constitution) in the Ukrainian judicial system and the manner in which they were able in practice to ensure the protection of citizens' civil and political rights?

64. The right to life (article 6 of the Covenant) could be looked at not only from the standpoint of the penal law but also in relation to public health. Could details be made available on the measures adopted in the Ukrainian SSR to provide free skilled medical assistance, on health and safety at work, etc?

65. With regard to article 10 of the Covenant, and the re-education through labour practised in the Ukrainian SSR, he asked what was the role of society in the social rehabilitation of individuals who had committed offences. Could such individuals, for instance, serve their sentence without leaving the area in which they had committed the offence? Could they continue working in the same factory under strict social supervision? The question was one which currently attracted wide discussion among lawyers specializing in criminology and penal matters.

66. With regard to the educational effect of public court hearings (p. 13 of the report, penultimate paragraph), which could be considered most valuable, he wished to know what other means were used in the Ukrainian SSR to disseminate knowledge of the law among the people as a whole.

67. The report suggested (p. 22, fourth paragraph) that the citizens' exercise of the right to freedom of expression included, for instance, making speeches at meetings held at their place of work or dwelling. What were the criteria applied for convening such meetings, and how and by whom were they organized? If a citizen approached the authorities with a request to organize a meeting, were they obliged to accede to it?

68. With respect to article 21 of the Covenant, it was clear that the word "workers" used in the report should be understood in its broadest sense.

69. Since the Communist Party was the leading and guiding force in Soviet society and the nucleus of its political system (p. 23, in relation to article 22), it would be interesting to know through what machinery the Party's directives became rules of law.

70. It would also be interesting to have details of the role of the trade unions in the protection of citizens' civil and political rights, and of the labour courts in the Ukrainian SSR. What social organizations took over their role in sectors where there were no trade unions?

71. The provisions relating to marriage and the family (p. 27) were most interesting. In the divorce procedure what was the role of the judge regarding any attempt to bring about a conciliation between the spouses?

72. In connexion with the right to take part in the conduct of public affairs (p. 29, in relation to article 25), what means were used to guarantee direct democracy and what was the role of the social organizations in that respect?

73. It would also be useful to know what conditions must be fulfilled by the judges and people's assessors in order to be elected (p. 29 and 30), and under what conditions a deputy might be recalled by those who had elected him (article 96 of the Constitution).

74. Lastly, he asked what was the role of property in ensuring the equality of citizens (p. 31 in relation to article 26).

75. The CHAIRMAN, reminding members that he had announced at the 152nd meeting that there had been no news of Mr. Kelani, said that Mr. Kelani was present at the current meeting. Mr. Kelani had in fact given notice that he would be attending the session, but, because of the holiday period, that information had not been properly forwarded within the Division.

The meeting rose at 6.15 p.m.