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Seventh session

SUMMARY RECORD OF THE 159th MEETING

held at the Palais des Nations, Geneva,
on Friday, 3 August 1979, at 10.30 a.m.

Chairman:

Mr. MAVROMMATIS

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The meeting was called to order at 10.40 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE
COVENANT: INITIAL REPORTS OF STATES PARTIES DUE IN 1977 (continued)

Ukrainian Soviet Socialist Republic (CCPR/C.1/Add.34) (continued)

1. Mr. KOCHUBEI (Ukrainian Soviet Socialist Republic) said that he had listened carefully to all the interesting comments which had been made by the members of the Committee on his country's report and would try to answer all of their questions. Before going on to specific articles of the Covenant, he would deal with the general questions that had been raised.
2. Sir Vincent Evans and Mr. Lallah had asked for more information on the organs of State power in the Ukrainian SSR and their relations with one another. He drew attention in that connexion to articles 2, 97, 107, 117, 118, 121 and 123 of the Constitution of the Ukrainian SSR, which dealt very fully with those matters. At the local level, all administrative bodies were elected and their powers very clearly delineated in articles 127 and 132 of the Constitution. The Supreme Court of the Ukrainian SSR was the highest judicial body in the Republic, while supreme power of supervision over the strict and uniform observance of laws was vested in the Procurator-General of the USSR and the Procurator of the Ukrainian SSR and lower-ranking procurators subordinate to him.
3. Sir Vincent Evans and Mr. Opsahl had asked about the relationship between Union and Republic legislation and the division of responsibility between them. Article 71 of the Ukrainian Constitution stated that the laws of the USSR were valid on the territory of the Ukrainian SSR. As a State party to the Covenant, the Ukrainian SSR had undertaken to embody all its provisions in the legislation of the Republic. In general, efforts were made to standardize provisions reflecting the norms laid down in the Covenant in the legislation of the various Republics making up the Soviet Union.
4. In reply to the question raised by Mr. Prado Vallejo and Mr. Graefrath regarding people's control, he drew attention to article 81 of the Constitution. A member of the Committee had also asked whether any group could usurp power in the Ukrainian SSR and deprive the people of its freedom of choice. The system of people's control, regularly held elections and accountability of deputies to their constituencies made that impossible. Ukrainian law provided for direct democracy through nation-wide discussion and referenda, in accordance with article 5 of the Constitution; not only were important laws widely discussed and publicized, but the voters gave elected officials binding mandates which instructed them on how to deal with issues arising in parliament. It was true, as Mr. Opsahl and Mr. Lallah had pointed out, that some double counting was inevitably involved in calculating that more than 32 million citizens had taken part in a nation-wide discussion of the draft Constitution, since citizens sometimes attended more than one meeting, but it was nonetheless a fact that millions of citizens had participated in the discussions.
5. Mr. Opsahl had asked what forms of oppression other than the exploitation of man by man might have survived the Revolution in the Ukrainian SSR. In the early days of the Soviet State distinctions between literate and illiterate citizens and between developed and less developed parts of the country had naturally persisted, but the Revolution had put an end to all national and social oppression and there was now full equality. Oppression was no longer possible because class antagonisms and privileges based on property had been eliminated.

6. In reply to a question by Mr. Tarnopolsky, he said that there was no contradiction between article 3 of the Ukrainian Constitution, relating to the principle of democratic controlism, and articles 19 and 25 of the Covenant. The rights of citizens were not in conflict with the power of officials because the latter were strictly accountable to the former. Mr. Lallah had wondered whether certain rights could be invoked as a pretext in order to violate other rights in the Ukrainian SSR. That was clearly impossible, under article 37 of the Constitution, which stated that citizens of the Ukrainian SSR enjoyed in full the basic rights and freedoms set out in the Constitution.

7. In connexion with the question which had been asked concerning the role of the Communist Party in the Ukrainian SSR, he drew attention to article 6 of the Constitution, which stated that all Party organizations must function within the framework of the Constitution of the USSR. Members of the Communist Party therefore had the same rights and duties as all other citizens. In reply to a question which had been raised regarding the relationship between domestic and international law, he said that international instruments were implemented through legal enactments and administrative decisions; in case of a conflict, the international instrument took precedence. In the case of the Covenant, its provisions had been fully incorporated into Ukrainian law.

8. Several members had asked whether the Covenant was publicized in the Ukrainian SSR and to what extent its provisions could be invoked by citizens of the Ukrainian SSR. The full text of the Covenant had been published in the Ukrainian and Russian languages and could be referred to in courts or in support of complaints, in conjunction with the relevant Ukrainian legislation reflecting its provisions. Matters concerning a possible inconsistency between Ukrainian law and the Covenant could be raised in the press and in legal circles. Mr. Opsahl had asked whether public officials were aware of the Covenant. It must be assumed that they were because it had been published in the series of documents which State officials were obliged to read.

9. The question of property rights had also been raised in the Committee. He drew attention in that connexion to article 10 of the Constitution, which stated that socialist property was the foundation of the economic system of the USSR. Article 55 stipulated the right of citizens to protection by the courts against encroachments on their personal property. In reply to a point raised by Mr. Lallah, he said that there had been widespread public participation in legal circles in the preparation of the Ukrainian report, and the Committee's discussions were being given broad coverage in Ukrainian radio programmes.

10. The question of citizenship in the Ukrainian SSR had also been raised. He drew attention in that connexion to articles 31, 35 and 36 as well as article 108, paragraph 11, of the Constitution. Under article 194 of the Marriage and Family Code of the Ukrainian SSR, a child whose parents were both Ukrainian citizens was automatically a citizen irrespective of his birthplace. If only one parent was a citizen, the child was recognized as a citizen if at least one parent was resident in the Ukraine at the time of his birth; if neither parent was resident in the Ukraine, citizenship was determined by agreement between the parents. Acquisition, loss and restitution of citizenship were governed by the Citizenship Act, which had come into force on 1 July 1979. The Presidium of the Supreme Soviet of the Ukrainian SSR was empowered to decide on matters pertaining to loss of citizenship, which could take place in the event of loss of USSR citizenship under the relevant provisions of USSR legislation and when State security or prestige were involved. Loss of citizenship did not affect the status of family members. The status of aliens was determined by a number of legislative enactments which implemented the rights referred to in article 35 of the Constitution. The right of asylum was

granted to the categories of alien referred to in article 36. Citizenship could be acquired regardless of race, sex, education or language. Article 565 of the Civil Code of the Ukrainian SSR specified that citizens of other countries in the Ukrainian SSR enjoyed civil legal capacity on an equal footing with Soviet citizens. Although foreign nationals and stateless persons could be granted permanent residence in the Ukrainian SSR, they were not able to occupy certain positions, for example, in the judiciary. Foreigners had the same right as Ukrainian citizens to appeal against the decisions of lower administrative bodies, including decisions that they must leave the country. Competence to expel an alien lawfully in the territory of the Ukrainian SSR lay with the Ministry of Internal Affairs.

11. Turning to the questions which had been raised regarding specific articles of the Covenant, he said that Mr. Tarnopolsky had asked, in connexion with article 1, whether the Ukrainian SSR could secede from the USSR. The Constitution provided for that possibility, but secession had never been proposed or discussed. If it were to be, article 5 of the Constitution would doubtless apply. The benefits of unity were obvious to all, however, and the Ukrainian SSR had no wish to secede from the Union, of which it was proud to be a member. There was no need for special protective measures to prevent assimilation of Ukrainians. Ukrainian language and culture were amply protected. Most schools in the Republic were Ukrainian, and the study of the Ukrainian language was mandatory in all. Approximately 70 per cent of all publications in the Republic were in the Ukrainian language. Nor were any special measures required to protect the rights of Ukrainian citizens in other Republics, because the rights of Soviet citizens were the same in all the Republics. Mr. Opsahl had asked whether Ukrainian nationalism existed. Ukrainians were patriots and resisted all attempts to sow discord among them, they were resolutely opposed to all those who had collaborated with the Fascists in the Second World War many of whom were now in the West, where they were continuing their efforts to sow discord.

12. In connexion with article 2 of the Covenant, a number of members had asked about the possibility of discrimination on grounds of political opinion in view of the absence of any prohibition of such discrimination in article 32 of the Constitution. He wished, however, to draw attention in that connexion to the second paragraph of article 32, as well as articles 46, 47, 48 and 49, all of which made such discrimination impossible.

13. Several questions had been asked about the legal redress open to individuals and, in particular, whether citizens could lodge complaints against officials acting in violation of the law and infringing the rights of citizens. The answer to those questions lay in articles 55 and 56 of the Constitution, which made it clear that full protection by the courts was provided for the rights of individuals and that they could lodge complaints against the actions of officials, State bodies and public bodies and receive compensation for damage resulting from such actions, where appropriate. It had been suggested that a phrase such as "in accordance with the aims of building communism" might itself constitute a restriction of freedom. That phrase, however, referred to the goal of the Socialist State. As stated in article 57 of the Constitution, rights and freedoms necessarily entailed duties and obligations. All citizens were equal in that respect, and there was no discrimination between them. For example, everyone had the duty to work, under article 58 of the Constitution, but correspondingly, all citizens had the right to choose an occupation in keeping with their education, training and abilities, to material compensation for the work they did and to care and treatment when they were ill. Ukrainian citizens were fully protected against the violation of their rights by officials under the Republic's Criminal Code, and particularly chapters IV and VIII, which specified the violations involved and provided for the protection of citizens in the matter of judicial proceedings.

14. Mr. Bouziri had asked a question about the rights of women in the Ukrainian SSR. Women played a very active part in State and social life in the Ukraine and held many important posts in State bodies and the judiciary and also in the important field of science.

15. With respect to article 17 of the Covenant, Mr. Tomuschat had asked about the possible seizure of correspondence, for example, confiscation of a letter containing the text of the Covenant. The privacy of correspondence and communications was protected by law in the Ukrainian SSR under article 54 of the Constitution and in the Code of Criminal Procedure. Similarly, article 53 of the Constitution guaranteed the inviolability of the home; no one could, without lawful grounds, enter a home against the will of those residing in it.

16. Questions relating to article 8 of the Covenant had concerned the possibility of conflicts between the interests of the individual and those of society in the Ukrainian SSR. He did not think that the provisions of article 58 of the Constitution, which required every citizen as a matter of duty and honour to engage in socially useful work, were in any way incompatible with the Covenant. Systematic parasitism was punishable in the Ukrainian SSR because it was unjustified, since there was no unemployment in the Republic and the possibility existed for every individual to do interesting work in accordance with his abilities. The requirement that work should be socially useful was not a limitation on the right to work, since all the work offered in his country was socially useful. Writers and artists, of course, were in a special category.

17. A number of members of the Committee had asked questions about the freedom of Ukrainians to choose their domicile. There was no legal limitation, but merely a factual limitation of that freedom, since in order to live in a certain place it was necessary to have a job and a dwelling there. In reply to the question put about the Crimean Tatars, he said that they now lived in Kazakhstan, where they had all that they required to meet their needs.

18. Tourism, about which Mr. Bouziri had asked, was increasing annually: thousands of persons now visited his country every year and every provision was made for them. They were allowed a sufficient amount of currency to meet their needs but a limit had to be set because the Soviet currency was not convertible. The travel of Ukrainian citizens abroad was subject to certain procedures, but was not subject to any restrictions except as provided for in article 12, paragraph 3, of the Covenant. The proportion of requests for permission to travel abroad which were refused currently amounted to no more than 2 per cent.

19. A number of members of the Committee had put questions relating to the implementation of article 18 of the Covenant, on freedom of conscience. Under article 50 of the Constitution, citizens of the Ukrainian SSR were guaranteed freedom of conscience, in other words, the right to profess or not to profess any religion. No pressure was put on anyone to be either a believer or an atheist; the matter was entirely up to the individual. All religious societies were registered with the Council for Religious Affairs and there were in fact at present some 7,000 religious groups of all kinds functioning in the Ukrainian SSR. Those groups were entirely free to run their own affairs and to hold whatever services they wished so long as such meetings did not disrupt public order and did not entail the infringement of the rights of other citizens or incitement of the adherents of one religious faith against those of another. Anyone attempting to violate the rights of believers could be brought to justice. Believers and

non-believers were equal before the law in the Ukrainian SSR. There appeared to be some misunderstanding among members of the Committee as to the meaning of certain provisions of article 50 of the Constitution. In fact, Ukrainian laws did not prohibit religious propaganda - indeed, the holding of religious services was nothing other than religious propaganda. Propaganda also took place through religious literature, the publication and receipt of which were perfectly legal. The Uniate Church had ceased to function in the territory of the Ukrainian SSR after the Lvov Assembly of 1946, at which it had been decided to unite it with the Russian Orthodox Church. It was true that persons who were active members of any religious group could not become members of the Communist Party since, under the Party's statutes, its members were required to adhere to the philosophy of materialism. A religious training institution in the Ukrainian SSR was the Odessa religious seminary, which took persons from the age of 18 years. Under Soviet legislation, the religious education of children took place privately, in the family, and there was no ban on the participation of children in religious services. In view of the fact that article 18 of the Covenant allowed for the possibility of certain limitations on the right to freedom of belief, there was no conflict between that article and the legislation and practice of the Ukrainian SSR in that sphere.

20. Turning to article 19 of the Covenant, on which a number of questions had been asked by members of the Committee, he said that in the Ukrainian SSR no citizen was held accountable before the law for his views or opinions. He was punished only if those views were converted into specific actions which constituted crimes infringing socialist order, such as anti-Soviet agitation and propaganda. The Republic's laws in the matter were very simple; they were designed to protect the interests of citizens and of society as a whole, and were fully in accordance with article 19, paragraph 3 (b), of the Covenant. Punishment in such cases depended on the gravity of the crime against the security of the State. The relevant decisions were taken by the courts and concerned such matters as slandering the State or individual citizens, the dissemination of pornography, the conduct of war propaganda, provocation of racial or national hatred, and incitement to violence, many of which matters had been referred to in the declaration adopted by UNESCO, at the most recent session of its General Conference, on the role of the mass media. Article 37 of the Ukrainian Constitution clearly stated that the enjoyment by citizens of their rights and freedoms must not be to the detriment of the interests of society or the State or infringe the rights of other citizens. At the same time, citizens had the right to criticize shortcomings and, as article 47 of the Constitution stated, persecution for criticism was prohibited. Article 44 guaranteed access to information through the broad development of the press, radio and television, through publications and through the expansion of cultural exchanges with other countries.

21. In answer to a question put by Mr. Hanga, he said that meetings at places of work or dwellings were convened on the initiative of workers. Officials were obliged, under article 47 of the Constitution, to examine any proposals made at such meetings, to reply to them and to take appropriate action. Mr. Tomuschat had asked what would happen to any groups of citizens who might take it upon themselves to monitor the implementation of the Covenant: the answer was that

nothing would happen to them if they acted within the framework of the law. Mr. Tomuschat had further asked whether the ban on all anti-Soviet agitation and propaganda was not incompatible with the prohibition of discrimination on the basis of the political opinions of individuals. Again, the individual could hold an opinion and was only brought to justice if he overstepped the boundaries of the law and undertook a specific activity which threatened to disrupt the security of the State. In answer to a question put by Mr. Prado Vallejo, he said that it was the courts which decided whether freedom of speech was being exercised against the interests of the people, and if it was, imposed punishment accordingly.

22. Replying to the question put by Mr. Prado Vallejo in relation to article 20 of the Covenant, he said that the conduct of propaganda inciting to racial or national hatred or discord was prohibited by law in the Ukrainian SSR; that applied particularly to propaganda concerning the various nationalities making up the population of his country.

23. Several members of the Committee had asked questions relating to the implementation of article 22 of the Covenant, concerning the right to freedom of association and to form and join trade unions. The Constitution of the Ukrainian SSR did not limit the number of social organizations which might exist but recognized the great variety of such organizations in general, and of trade unions in particular. As article 7 of the Constitution made clear, no one had a monopoly of political activity: members of trade unions, co-operatives and other public organizations had a right to participate in deciding political and other matters. Consequently, those elected to the Soviets of People's Deputies and even to the Supreme Soviet of the Republic included a percentage who were not members of the Communist Party. In reply to Mr. Janca's question about article 243 of the Ukrainian Labour Code, he said that the fact that trade unions were not required to register with State bodies was designed to ensure the free and voluntary creation and functioning of trade union organizations. The trade unions undertook various activities in defence of the interests of the workers, and had many means at their disposal for seeking a solution to problems. He was aware that under other social systems virtually the only remedy available was that of a strike: in Ukrainian society, strikes had long been abandoned as a method of defending the interests of the workers. As regards the right to mass action, article 48 of the Constitution guaranteed workers freedom of assembly, freedom to hold meetings and freedom to conduct street processions and demonstrations.

24. Answering questions relating to articles 23 and 24 of the Covenant, he said that matters relating to the legal dissolution of marriage were governed by article 40 of the Ukrainian Marriage and Family Code. Under that article, every attempt was made to effect a reconciliation of the spouses before divorce was pronounced and a marriage was dissolved only when it was clear that it had broken down irrevocably. In the event of divorce, the interests of children were fully protected, as were those of mothers and children generally. Every provision was made for the care of children of working mothers. It had been asked whether the fact that one of the functions of the family in the Ukrainian SSR was the building of communism did not constitute a violation of the Covenant. He did not think so, since the building of communism was the highest aim of the development of his country's society. By contributing their labour towards the building of communism, the citizens of the Ukrainian SSR were serving their own interests and those of their society as a whole.

25. In relation to article 27 of the Covenant, questions had been asked about the position of national minorities in the Ukrainian SSR, and their right to education in their own languages. The equality of rights of all Soviet citizens of whatever nationality was a principle enshrined in the Constitutions both of the Soviet Union and of the Ukrainian SSR. As articles 34 and 43 of the Ukrainian Constitution clearly showed, all citizens had the right to education in their own language. That applied also to Jewish communities in the Ukrainian SSR, which had the right, if they wished, to open their own schools. As a rule, court proceedings were conducted in the Ukrainian language, but they could be conducted in the language of the majority of the people of the locality in question. Anyone participating in the proceedings who did not understand the language in which they were being conducted had the right to the services of an interpreter and the right to address the court in his own language, in accordance with article 157 of the Constitution. It was an important principle of the entire Constitution that any direct or indirect limitation of the rights of citizens or the establishment of direct or indirect privileges for citizens on grounds of race or nationality was punishable by law. In the Ukrainian SSR, as in the USSR in general, "nationality" meant the fact of belonging to a distinct national group or nation, those terms being used to describe either small or large groups of people with the same language, culture and historical background, living within the broader framework of the Republic or the Union. With respect to the "compact population groups" referred to in paragraph 34 of his country's report, he said that a group was called compact if the majority of its members were living together in the same place. However, that was not a criterion for the opening of a school giving instruction in the language of the group: that depended on the wishes of the parents. He confirmed that there were radio broadcasts and newspapers in the languages of the minorities living in his country. At the same time, the study of Ukrainian was compulsory in all schools.

26. Lastly, he wished to make it clear that the legal texts which were to be published between 1982 and 1986 would be collections or codes of Ukrainian law for the use of courts and other official bodies.

27. Mr. BOURCHAK (Ukrainian SSR) said that he wished to speak about certain general legal matters which had been raised in the questions put by members of the Committee. With regard to the division of powers in his country, article 2 of the Constitution stated that all power in the Ukrainian SSR belonged to the people, who exercised it through the Soviets of People's Deputies, all other State bodies being under the control of and accountable to the Soviets of People's Deputies. The Supreme Soviet of the Ukrainian SSR, the powers and functions of which were set forth in article 97 of the Constitution, was elected by the country's citizens. The people were constantly consulted through popular votes or referendums. Thus the principle that all power belonged to the people was being effectively implemented.

28. Questions had been asked about the power and position of the courts in the Ukrainian SSR. He could confirm that the courts were entirely independent and not subject to any pressure or interference. As was stated in article 150 of the Constitution, judges were elected; they were therefore subject to the control of the electors. Judges of the lower courts were elected directly by the people, while those of higher courts were elected by the Soviets of People's Deputies, the judges of the Supreme Court being elected by the Supreme Soviet of the Ukrainian SSR. All courts, the Supreme Court, the regional courts and the

district or city people's courts could act as courts of first instance, but only the regional courts and the Supreme Court could act as courts of second instance. In fact, the vast majority of cases for examination in first instance came before the city or people's courts.

29. Comrades' courts had given rise to a number of questions. He wished to explain that comrades' courts were not legal organs of the State, but public bodies. They enjoyed a special status which had been recognized by the Supreme Court and their purpose was to prevent violations of the law and halt any anti-social activities. Comrades' courts existed in enterprises, factories, educational institutes, State farms and villages. They dealt with such matters as infringements or non-observance of labour regulations, public drunkenness, hooliganism, slander, libel, neglect of parental responsibilities and other minor offences. In 1977, the Presidium of the Supreme Soviet had adopted a special decree which stated that minor offences were not subject to criminal proceedings but could be dealt with in the comrades' courts. Those courts were entitled, inter alia, to impose fines ranging from 10 to 30 roubles and to compel offenders to apologize publicly for their acts.

30. A number of questions had been raised concerning the status of the legislation of the Republic in relation to that of the Soviet Union, and the possibility of conflict between the two systems. Certain matters fell exclusively within the competence of the Union, while others, such as transport and road construction, were within the competence of the Republic. The majority of questions, however, lay within the joint competence of the Union and the Republic. The Union laid down the fundamental principles of legislation, on the basis of which each Republic drafted its own specific legislation, taking account of national and local traditions. If there was a discrepancy between the legislation of the Union and the Republics, that of the Union prevailed, as stated in article 74 of the Constitution of the USSR.

31. A number of members had asked what was meant by socialist legality. Socialist legality was a legal régime in which the activities of State and public organs and of citizens were subject to the law. It had also been asked why the report had contained many references to the legislation of the 1960s and 1970s. In 1957, the Supreme Soviet had enacted a special law concerning the delimitation of competence between the Union and the Republic, and the Ukrainian SSR had subsequently entered upon a new stage in the elaboration of its legislation. Following the adoption of the new Constitution, the Presidium of the Supreme Soviet had adopted a plan for bringing the Republic's legislation into line with its provisions.

32. A number of questions had been asked about the implementation of article 6 of the Covenant. In the Ukrainian SSR, every effort was made to preserve and maintain human life. Under article 40 of the Constitution citizens had the right to health protection. That right was ensured by free, qualified medical care provided by State health institutions; by extension of the network of therapeutic and health-building institutions; by the development and improvement of safety and hygiene in industry; by carrying out broad prophylactic measures; by measures to improve the environment; by special care for the health of the rising generation, including prohibition of child labour, except for the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life. The State did everything in its power to implement the provisions of that article. There were 170,000 practising doctors and a further 8,500 were receiving training.

33. The legislation of the Republic provided special measures for the protection of human life. Article 24 of the Criminal Code stressed that the death penalty was an exceptional measure of punishment in the case of premeditated murder in extreme circumstances and a number of other very serious crimes. The question of the possibility of abolishing the death penalty was under consideration, but for the time being it was necessary to retain that punishment for very serious crimes.

34. Article 9 of the Covenant was the subject of a number of laws. The question of detention was clearly dealt with under article 106 of the Code of Civil Procedure which stated that an individual could be detained only when he had been arrested at the scene of the crime, when eye-witnesses identified the individual as the offender and when a person who had escaped from the scene of the crime bore clear traces of the crime on his or her person. The procurator must be informed within 24 hours of the detention of an individual and must take a decision within the following 48 hours on whether to order the release or sanction the detention of the individual. Thus, detention was possible only for a period not exceeding three days. Ukrainian legislation contained provision for detention in custody during investigation of a crime. It was strictly regulated and, in general, could not exceed two months, but there was a procedure to extend detention under article 156 of the Code of Criminal Procedure. However, the maximum period of detention was nine months. With regard to the question of the defence counsel, article 44 of the Code of Criminal Procedure specified that the defence counsel could participate in a case when the investigation was completed, but when minors or individuals with physical or psychological handicaps were involved, the defence counsel was called in when the charges were first brought. The accused person enjoyed certain rights established in article 263 of the Code of Criminal Procedure. They included the right to a defence counsel, the right to file any petitions that might be necessary, and the right to call witnesses and experts, as required by the case. The accused was entitled to seek explanations and ask questions of others. Thus, the requirements contained in article 9 of the Covenant were fully reflected in the legislation of the Republic. The functions of the procurator could not be regarded as more extensive than those of the courts, since both the procurator and the courts had the right to institute criminal proceedings.

35. A question had been asked about deprivation of liberty on grounds other than the commission of a criminal act. Article 55 of the Law on Health provided that, in the interests of the health and safety of the population, the authorities were empowered to order individuals suffering from tuberculosis, venereal diseases, alcoholic problems and psychic disorders to receive treatment in medical establishments. Persons suffering from psychic disorders could only be committed to psychiatric institutions if they presented a real danger to the community. In such cases, the desirability of hospitalization was first carefully considered by a panel of psychiatrists. The procedures for committal were clearly stated in the health legislation.

36. A number of questions had been asked about correctional labour legislation. The purpose of that legislation was not to sanction punitive labour; its objective was to set forth clearly the rights of individuals who had committed crimes and were being punished accordingly. The Correctional Labour Code contained provisions setting out the conditions in which the punishment would not only be a penalty for the offence committed but would reform and re-educate the offender. It was clearly

stated that the aim was not to inflict physical suffering or degrade human dignity. Correctional labour imposed for less than one year was carried out at the offender's usual place of work and he was required to forfeit up to 20 per cent of his normal salary. Where that was not possible, the offender changed his work in order to perform the correctional labour prescribed. The working conditions in corrective labour institutions were set forth in article 50 of the Code, which provided for eight hours' work each day, with one day of rest each week.

The meeting rose at 1 p.m.