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

Reports submitted in accordance with Council resolution
1986 (LX) by States Parties to the Covenant, concerning
rights covered by articles 10-12

Addendum

CZECHOSLOVAKIA

[3 October 1980]

INTRODUCTION

The present report has been prepared in accordance with the general guidelines for reports on articles 10-12 of the International Covenant on Economic, Social and Cultural Rights in such a manner that within the framework of individual articles, in respect of their sections, a survey of valid laws and other legal regulations is provided, followed by information on the content thereof, as well as other data and information, as requested.

In the Czechoslovak Socialist Republic the right of peoples to self-determination is fully guaranteed, as is the exercise of all fundamental rights without any discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, in conformity with articles 1 and 2 of the Covenant. Through special adjustment of working conditions and special health care in pregnancy and maternity, as well as through the development of facilities and services enabling women to use all their capabilities for participation in the life of society, the equal status of women is in the process of being secured in the family and at work, as well as in public activity, and hence the removal of differences between men and women, both natural (physiological) and social (the role of women as mothers), and the attainment of actual equality of both sexes, within the meaning of article 3 of the Covenant. Therefore, these matters are not further elaborated, although under part I, section E, of the guidelines due attention was given to them.

The rights mentioned in articles 10-12 of the Covenant are in practice guaranteed also to stateless persons in the same way as they are to citizens of

the Czechoslovak Socialist Republic; in this respect, therefore, no further elaboration will be made; only exceptional cases in which implementation is reserved for citizens of the Czechoslovak Socialist Republic are mentioned.

Information on limitations that may be imposed upon the exercise of individual rights (part I, section E, para. 5, of the general guidelines) are contained in the text of the present report.

ARTICLE 10. PROTECTION OF THE FAMILY, FATHERS AND CHILDREN

A. Protection of the family

(1) The principal laws and other legal regulations are as follows:

Articles 26 and 27 of the Constitution of the Czechoslovak Socialist Republic of 11 July 1960 (Constitutional Act. No. 100/1960, Collection of Laws);

Act No. 94/1963, Collection of Laws, concerning the family (particularly Articles I to V of the fundamental principles, Sections 1 to 4 and 11 to 21);

The Civil Code, Act No. 40/1964, Collection of Laws (Section 8 - reaching of full age);

Act No. 65/1965, Collection of Laws, The Civil Code, as amended and supplemented by Act No. 55/1975, Collection of Laws;

The Penal Code, Act No. 140/1961, Collection of Laws, as amended and supplemented by Act No. 120/1962, Collection of Laws; Act No. 53/1963, Collection of Laws; Act No. 184/1964, Collection of Laws; Act No. 56/1965, Collection of Laws; Act No. 81/1966, Collection of Laws; Act No. 148/1969, Collection of Laws; Act No. 45/1973, Collection of Laws; and Act No. 43/1980, Collection of Laws (Section 210 - bigamy);

Act No. 54/1956, Collection of Laws, concerning health insurance of employees, as amended and supplemented by Act No. 16/1959, Collection of Laws, and Act No. 87/1968, Collection of Laws;

Act No. 103/1964, Collection of Laws, concerning security of co-operative farmers in case of illness and concerning security of the mother and child, as amended and supplemented by Act No. 51/1976, Collection of Laws;

Act No. 32/1957, Collection of Laws, concerning health security in the armed forces;

Act No. 88/1968, Collection of Laws, concerning the prolongation of maternity leave, concerning benefits in maternity and concerning children's allowances from the health insurance scheme, as amended and supplemented by Act No. 153/1969, Collection of Laws, Act No. 99/1972, Collection of Laws, and Decree of the Government of the Czechoslovak Socialist Republic No. 98/1971, Collection of Laws;

Act No. 117/1966, Collection of Laws, concerning the consequences of neglecting the care of a child, as amended and supplemented by Act No. 99/1972, Collection of Laws;

Act No. 121/1975, Collection of Laws, concerning social security, as amended and supplemented by executive measure No. 76/1979, Collection of Laws, and Act No. 150/1979, Collection of Laws, especially Sections 81, 82 and 98;

Act of the Czech National Council No. 129/1975, Collection of Laws, and Act of the Slovak National Council No. 132/1975, Collection of Laws, on the sphere of activity of organs of the Czech Socialist Republic and/or the Slovak Socialist Republic in social security;

Act No. 76/1952, Collection of Laws, concerning the tax on wages, as amended and supplemented by Acts No. 71/1957, Collection of Laws, No. 101/1964, Collection of Laws, and No. 90/1968, Collection of Laws;

Legal Measure of the Presidium of the Federal Assembly No. 14/1973, Collection of Laws, concerning the provision of loans with state allowance to young married couples;

Act No. 20/1966, Collection of Laws, concerning the health of the people;

Important executive regulations

Decree of the Government of the Czechoslovak Socialist Republic No. 54/1975, Collection of Laws, implementing the Labour Code;

Decree of the Government of the Czechoslovak Socialist Republic No. 77/1979, Collection of Laws, on the increase of allowances for children and upbringing;

Notice No. 128/1975, Collection of Laws, implementing the Act on Social Security;

Notice of the Ministry of Labour and Social Affairs of the Czech Socialist Republic No. 130/1975 and Notice of the Ministry of Labour and Social Affairs of the Slovak Socialist Republic No. 134/1975, Collection of Laws, implementing Acts of the Czech National Council and of the Slovak National Council concerning the sphere of activity of organs of the Czech Socialist Republic and/or the Slovak Socialist Republic in social security;

Notice No. 95/1968, Collection of Laws, concerning the provision of allowances for children within the health security scheme;

Notice No. 182/1968, Collection of Laws, concerning benefits in maternity and concerning allowances for children of applicants for employment;

Notice No. 60/1964, Collection of Laws, concerning payment for the use of a flat and for services connected with the use of a flat;

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Notice No. 24/1967, Collection of Laws, implementing the Act concerning the tax on wages, as amended and supplemented by Notices No. 96/1968, Collection of Laws, No. 125/1968, Collection of Laws, and No. 110/1971, Collection of Laws,

Notice No. 80/1979, Collection of Laws, concerning the increase in the limit of personal income, which is decisive as far as recognizing persons dependent on the payer of the tax on wages is concerned;

Notices No. 121/1974, Collection of Laws, and No. 19/1975, Collection of Laws, concerning the system of health-care facilities.

(2) By article 26 of the Constitution of the Czechoslovak Socialist Republic, maternity, marriage and family are under the protection of the State. The State and society ensure that the family provides a sound basis for the development of youth. Depending on the number of children, families receive special allowances and support from the State.

In the Czechoslovak Socialist Republic, the fundamental legal questions which relate to article 10, paragraph 1, of the Covenant are regulated by Act No. 94/1963, Collection of Laws, concerning the family. The provisions of this Act adequately and with regard to the perspective situation of the State determine the basic questions of marriage, the relationship between parents and children, the education of minor children and regulation of the subsistence duty of parents towards their children.

The meaning of the Family Code rests in expressing the requirement of a permanent and harmonious life for man and woman in the family, equality of their rights and duties and ensuring such living conditions in the marriage that the proper upbringing of the children is guaranteed. The conditions under which marriage according to the law originates and circumstances which preclude it are based on this idea of marriage. The Act regulates the relationship between spouses after divorce, which is permitted only when a deep and permanent disruption between spouses has taken place and the marriage objectively does not fulfil its social function.

The Family Code is complemented by other laws and legal regulations protecting maternity, marriage and the family.

In the Czechoslovak Socialist Republic, marriage is contracted before an agency of the State by the concurrent declaration of a man and a woman that they are jointly entering into the bonds of matrimony; the marriage is contracted in ceremonial fashion, in the presence of two witnesses (Section 3 of Act No. 94/1963, Collection of Laws).

As a rule, marriage can be concluded only by persons who have attained full age, i.e., those who have reached their eighteenth year (section 13, paragraph 1, of Act No. 94/1963, Collection of Laws; and section 8, paragraph 2, of the Civil Code, Act No. 40/1964, Collection of Laws). For serious reasons the court may grant permission to contract marriage to a minor over 16 years of age.

The conclusion of marriage is in no case subject to the approval of other persons (for example parents or other legal representatives).

A man and a woman are equal in marriage. The main social purpose of marriage is the founding of a family and the proper upbringing of children. The family founded by marriage constitutes the basic element of our society which provides comprehensive protection of family ties (articles I and II of Act No. 94/1963, Collection of Laws).

Marriage may not be contracted with a married man or a married woman; in such cases the court shall declare the invalidity of the marriage (section 11 of Act No. 94/1963, Collection of Laws). Bigamy is punishable under section 210 of the Penal Code, Act No. 140/1961, Collection of Laws, in its valid wording.

Local organs of State (national committees), in co-operation with socialist organizations (enterprises) and schools, prepare young citizens for marriage, lead them towards responsible parenthood and contribute to the creation of favourable relations in families threatened by disruption. They establish marriage and pre-marriage advice bureaux which provide expert social services to married and engaged couples in solving their partner relationships and in an all-round manner endeavour to ensure that marriage and family fulfil their function in conformity with the Family Code (section 82 of Act No. 121/1975, Collection of Laws, section 13 of the Acts of the Czech National Council No. 129/1975, Collection of Laws, and of the Slovak National Council No. 132/1975, Collection of Laws). At present, the total number of these facilities in the Czechoslovak Socialist Republic is 73. In the future, such advice bureaux will be established in each of the 108 districts into which Czechoslovakia is divided.

(3) In order to help young married couples (those up to 30 years of age) to establish a family, the State banking institutions may grant them advantageous, long-term loans designed to partly cover the costs connected with the provision of a flat (in a housing co-operative) or the construction or purchase of their own family house and to buy household equipment. These loans may be provided up to the amount of 30,000 koruna, and are granted to needy married couples only, that is, those whose monthly incomes together amount to less than 5,000 koruna (roughly two average wages in the Czechoslovak Socialist Republic).

For each child born to the married couple after the granting of the loan that reaches the age of one year, the State makes available to the parents a State contribution for the repayment of the loan in the form of a loan reduction: 2,000 koruna in the case of the first child and 4,000 koruna in the case of the second and each subsequent child.

Loans with State allowance to young married couples are tied to the condition that at least one of the spouses is a Czechoslovak citizen (section 2, paragraph 1 (a) of the above-mentioned legal measure). Young married couples who are foreign citizens or stateless persons may apply to the State bank for a loan only under the general conditions provided for in Sections 341-344 of the Civil Code, that is, without the state allowance in the form of a reduction and at a higher rate of

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interest. In these cases, however, loans granted for the provision of a family house through a contractor, for the construction of a house (reconstruction, additional construction etc.), for the payment of the membership share in a housing co-operative, for adaptations to a flat and for the purchase of a family house are subject to a lower annual interest rate (4 per cent interest instead of the usual 6 per cent). Thus, in respect of the provision of loans facilitating the establishment of a family and the acquisition of adequate housing for it, foreign nationals and stateless persons are in the same position as Czechoslovak citizens over 30 years of age. The benefits provided to young Czechoslovak citizens are based on the interest of the State in the increase, mainly, of its own population. Loans with State allowance were introduced in 1973; they have proved beneficial and already more than 600,000 young married couples have taken advantage of them. In 1979, the State allowance for these loans represented the amount of 522 million koruna.

Besides loans from State banking institutions, all working people (irrespective of citizenship) can obtain, for the purpose of overcoming an unfavourable housing situation, a loan from their employing organization (in close co-ordination with trade unions); for example, from a co-operative organization whose members they are from special - established for that purpose - financial funds. Conditions for the provision of these loans are usually more favourable than they are, in the case of loans from banks (section 10 of Notice No. 155/1975, Collection of Laws, concerning the fund of cultural and social needs; section 7 of Notice No. 110/1976, Collection of Laws, concerning the fund of cultural and social needs of the unified agricultural co-operative; section 13 of the Decree of the Government of the Czechoslovak Socialist Republic No. 138/1975, Collection of Laws, executing some of the provisions of Act No. 122/1975, Collection of Laws, concerning the agricultural co-operative movement).

(4) The basic form of social care for families with dependent children are children's allowances, provided as a social insurance benefit to all supporters of dependent children whether they are insured as employees in an employment relationship (Act No. 54/1956, Collection of Laws, in its valid wording and Act No. 88/1968, Collection of Laws, in its valid wording), or as co-operative farmers (Act No. 103/1964, Collection of Laws, in the wording promulgated under Act No. 51/1976, Collection of Laws), or as members of the armed forces (Act No. 32/1957, Collection of Laws), or as independent artists or as self-employed peasants (Act No. 128/1975, Collection of Laws, and Section 124 of the Notice No. 128/1975, Collection of Laws), or as temporarily unemployed, insured as applicants for employment (Notice No. 182/1968, Collection of Laws). The conditions for the granting of children's allowances are similar for all types of social insurance and differ only in individual elements according to the nature of insurance. Instead of children's allowances, pensioners are paid the so-called upbringing allowance to pension, which - as far as its amount is concerned - corresponds to the children's allowance (section 46 of Act No. 121/1975, Collection of Laws).

Children's allowances and upbringing allowances to pension are granted on a differential basis according to the number of dependent children. The differential is considerable: in the case of two children it is three times,

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and in the case of four children almost ten times, higher than the allowance for one child (Section 24 of Act No. 88/1968, Collection of Laws). If a family takes care of an invalid child requiring constant care, an allowance in addition to the children's allowance or to the upbringing allowance is paid; in the case of the upbringing allowance, there is also eventually an increase for inability. At present, the children's allowance is as follows:

For one child	140 koruna
For two children	530 koruna
For three children	1,030 koruna
For four children	1,480 koruna
Increase for each additional child	290 koruna

A dependent child may be an employee's or his spouse's own or adopted child or a grandchild or a brother/sister of the employee or his spouse or a child they have in permanent care, as substitutes for the child's own parents (foster-child), up to the completion of compulsory school attendance. (Since 1978, the period of compulsory attendance at school has been 10 years, from the child's sixth year of age - section 34, paragraph 2, of Act No. 63/1978, Collection of Laws, concerning arrangements for the system of fundamental and medium-grade schools.) The child is also regarded as dependent if it is preparing for a future profession through study or prescribed training or if it cannot prepare itself for a future profession or be employed because of illness or is unable to work owing to a physical or mental defect; a further condition is that the child should neither have an income of its own of more than 780 koruna per month (about 30 per cent of the average monthly wage in the Czechoslovak Socialist Republic) nor receive an invalid's pension (scholarships, alimonies, orphan benefits, values of various advantages (accommodation in boarding houses, free-of-charge food etc.) or casual earnings in the course of study or during school vacations (Section 2 of Notice No. 95/1968, Collection of Laws) are not regarded as the child's own income). Under those conditions, the child may be regarded as dependent up to his twenty-sixth year of age.

In the case of persons in an employment relationship and in the case of members of production co-operatives (with certain modifications in the case of members of unified agricultural co-operatives) the provision of children's allowances is bound to the condition that in their employment they work for the prescribed number of hours (those generally prevailing in the given enterprise or other organization) and that they have worked in a given calendar year the requisite number of hours, or were unable to work the required length of time for an acceptable reason (Sections 21 to 23 of Act No. 88/1968, Collection of Laws, in its valid wording; section 30 of Act No. 103/1964, Collection of Laws, in the wording promulgated under Act No. 51/1976, Collection of Laws). Unexcused absence from the working shift therefore results in a situation in which, in a given calendar month, the right to receive the children's allowance does not arise. In the situation of the general and long-term shortage of manpower that exists in Czechoslovakia, the above-mentioned conditions (in respect of full hours of work and the working of all working shifts) stimulate the full employment of

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citizens and the observance of working discipline and hence promote the public good in a democratic society within the meaning of article 4 of the Covenant.

Children's allowances are designed exclusively for the care of dependent children. If the recipient does not use the allowances for the benefit of children, the organ competent to determine the children's allowances (trade union organs in enterprises, or higher trade union organs, social commissions in co-operatives etc.) may decide - on the proposal of the competent local State organ (national committee) - on the termination of payment of the children's allowances to the existing recipient and their payment to the appropriate State organ (national committee) which will use them for the benefit of children for whom they are designed (for example, to cover costs of school catering, clothing, shoes etc.) until the situation has been permanently rectified. If the child is in the direct care of any of the institutes of child care (children's homes etc.) the payment of allowances is transferred to such an institute (Act No. 117/1966, Collection of Laws, in the wording of Act No. 99/1972, Collection of Laws).

In 1979, children's allowances were provided for more than 4.3 million children and represented the amount of 12.4 billion koruna (in 1978 the national income of the Czechoslovak Socialist Republic in current prices amounted to 458.6 billion koruna).

Another significant measure is support in attending a member of the family which is provided at the level of the sickness benefit in the case of attending a sick child under age of 10 years, or other member of the family if attendance by another person is necessary, as well as in the case of attending a child under 10 years of age if for some reason (for example, being in quarantine) it cannot be placed in the usual care of the educational facility or school or another person (grandmother, nurse etc.). This support is provided for a period of three working days. The period may be extended by another three days; in the case of employees on their own, it may be extended up to 12 working days (section 25 of Act No. 54/1956, Collection of Laws, in its valid wording; section 16 of Act No. 103/1964, Collection of Laws, in the wording promulgated under Act No. 51/1976, Collection of Laws). The purpose of this benefit is to compensate the employee for the earnings he or she loses by attending a family member.

In 1979, the costs connected with the payment of the support in attending a member of the family amounted to about 510 million koruna.

Among measures aimed at maintaining, strengthening and protecting the family is the valid, legal regulation of tax duties. In the case of all personal taxes paid by the population, the number of persons supported by the taxpayer is taken into account. Most important in this respect is the tax on wages which to a considerable extent satisfies the features or advantages of so-called family taxation, not from the aspect of family income, but from the aspect of family payment capability. The bearer of this tax is a typical taxpayer, that is, an employee with dependent children or other supported person. These taxpayers are subject to the basic tax rate which, in accordance with the level of taxable income, increases progressively from 3 per cent (in the case of the lowest wages) up to 20 per cent (approximately, in the case of the average monthly wage in the

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Czechoslovak Socialist Republic). This basic progressive rate is increased for taxpayers who do not support at least two persons (by 35-60 per cent) or decreased for taxpayers with more than two dependent persons (however, from the total number of minor children for whom children's allowances or upbringing allowances are paid, into dependent persons there is counted only one child - this is in fact a combination of advantages resulting from family allowances and family taxation). Essential conditions for the modification of the basic tax rate - besides the number of dependent persons - are the marital status, age and sex of the taxpayer, as well as whether he or any of his dependants are invalids (Act No. 76/1952, Collection of Laws, concerning the tax on wages, in the valid wording).

Protection of the family is also safeguarded by the legal regulation on the security of family members of citizens registered for service in the armed forces. Citizens on short-term military exercises receive from their employing organization compensation for the earnings lost, the amount received varying according to the number of dependent persons (50-95 per cent of the average earnings). In the case of long-term basic military service (in the Czechoslovak Socialist Republic, two years) the family members of the soldier are entitled to a maintenance allowance from social security funds.

In the Czechoslovak Socialist Republic, there is an extensive network of facilities which take care of children. The following aspects are mentioned in particular:

(a) Nurseries which provide care to children under three years of age. This care complements the care in the family. The purpose of the nurseries is to enable the mother to join public activity and enter into employment. The nurseries may operate on a daily, weekly or, in exceptional cases, a full-time basis (section 22 of Notice No. 121/1974, Collection of Laws);

(b) The upbringing of a child in the family and nursery is continued in the kindergarten which develops the child's personality from its third to sixth year of age and prepares it for entry into fundamental school (section 5 of the Act of the Czech National Council No. 76/1978, Collection of Laws, and of the Act of the Slovak National Council No. 78/1978, Collection of Laws, concerning school facilities). In recent years, nurseries and kindergartens have been established at an unprecedented rate. At the present time, kindergartens care for 78.5 per cent of the children in the three to six year age group;

(c) The upbringing of pupils in the fundamental or other school is complemented, after the hours of formal instruction and during vacations, by school-children's centres and school-children's clubs, the centres being for pupils of the first to fourth classes of the above-mentioned schools and the clubs for the remaining classes (section 20 of the Act of the Czech National Council No. 76/1978, and the Act of the Slovak National Council No. 78/1978, Collection of Laws);

(d) It is necessary to add that school catering facilities, especially school canteens, provide meals to pupils during their stay in school (sections 39 to 41 of the Act of the Czech National Council No. 76/1978, Collection of Laws, and of the Act of the Slovak National Council No. 78/1978, Collection of Laws).

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Another form of assistance to families with children is the nursing service. This service is provided when the family is unable to look after the children because serious difficulties have arisen for the parents or persons responsible for the care of the children (for example, in the case of illness, childbirth, or if there are triplets or more small children requiring care). Under this service, healthy children are looked after, sick children or parents are attended to and the necessary work connected with the functioning of the household is undertaken. The service is provided against payment of costs that have arisen, unless the particular family is a socially needy one (sections 81, 98 and subsequent sections of Act No. 121/1975, Collection of Laws; sections 126 and 127 of Notice No. 128/1975, Collection of Laws, section 13 and subsequent sections of the Act of the Czech National Council No. 129/1975, Collection of Laws; section 14 and subsequent sections of Notice No. 130/1975, Collection of Laws; section 13 and subsequent sections of the Act of the Slovak National Council No. 132/1975, Collection of Laws, and section 14 and subsequent sections of Notice No. 134/1975, Collection of Laws).

Besides direct financial assistance, families also receive assistance in kind and enjoy various advantages. For example, parents pay favourable fees in respect of admission of children to child-care facilities, meals in school and student canteens and accommodation of children in children's homes and hostels. School children and students may borrow all textbooks free of charge. Fifty per cent of the costs connected with school catering is covered by the State. Almost 60 per cent of children attending school take advantage of the school catering service.

Under Notice No. 60/1964, Collection of Laws, rents for the use of a flat are determined bearing in mind the number of dependent children, a reduction of 5 per cent being given in the case of one child. In the case of four or more dependent children this reduction increases up to 50 per cent.

In conclusion, it is necessary to add that the total expenditure on social assistance to families with children amounts to 7 per cent of the national income.

B. Maternity protection

(1) The principal laws and other legal regulations are as follows (if the full wording was given in section A above, the law is mentioned here in abbreviated form only):

Article 20, paragraphs 3, 26 and 27 of the Constitution of the Czechoslovak Socialist Republic;

The Labour Code (particularly article VIII of Fundamental Principles and sections 149 to 162);

Act No. 88/1968, Collection of Laws, in the valid wording;

Act No. 54/1956, Collection of Laws, in the valid wording;

Act No. 103/1964, Collection of Laws, in wording promulgated under Act No. 51/1976, Collection of Laws;

Act No. 107/1971, Collection of Laws, concerning the maternity grant;

Act No. 20/1966, Collection of Laws, concerning the health of people;

Notice No. 95/1968, Collection of Laws, concerning the provision of children allowances in health insurance;

Notice No. 72/1974, Collection of Laws, regarding implementation of some provisions of the Act concerning maternity grant;

Notice No. 42/1966, Collection of Laws, concerning the provision of preventive medical care;

Notice No. 128/1975, Collection of Laws, executing the Act on social security;

(2) In the Czechoslovak Socialist Republic maternity is under the protection of the State (article 26, paragraph 1, and article 28 of the Constitution of the Czechoslovak Socialist Republic of the year 1960). Health care is provided by the State to all citizens free of charge (article V of Act No. 20/1966, Collection of Laws, and section 1, paragraph 1, of Notice No. 42/1966, Collection of Laws); this applies also to the systematic preventive medical care in maternity. During pregnancy, a woman undergoes nine medical examinations. Ninety-nine per cent of births take place in maternity homes. Until the ninth month after child delivery pregnant women and mothers are entitled to protection and special adjustment of working conditions, including prohibition of service trips and transfers, adjustment of working hours and protection of the employment relationship until the child is three years of age (section 153 and subsequent sections of the Labour Code). A number of jobs are prohibited to such women and enterprises are obliged to transfer such women during pregnancy to other suitable work. So that the women do not suffer as regards their earnings, they are given the differential benefit in pregnancy and maternity. This benefit is an allowance under social

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security and is granted to women whose earnings are reduced for reasons of pregnancy or maternity (sections 4 and 5 of Act No. 88/1968, Collection of Laws, section 19 (a) of Act No. 103/1964, Collection of Laws, in wording promulgated under Act No. 51/1976, Collection of Laws).

When a child is born, a one-time grant on the occasion of the birth of child is provided. This grant is made available to all employed women as well as to female family members of economically active persons (that is, also to housewives), and amounts to 2,000 koruna for each child born (in the case of twins 4,000 koruna and so forth). This grant is a benefit to cover increased expenditures arising on the occasion of the child's birth (pram, clothing for the newly born etc.) (section 13 of Act No. 88/1968, Collection of Laws, in the wording of Government Decree No. 98/1971, Collection of Laws, in the valid wording). In 1979, the costs connected with the provision of this grant amounted to 550,000 koruna.

(3) Economically active women are further entitled to paid maternity leave for a period of 26 weeks (four weeks before and 22 weeks after delivery of the child); during maternity leave such women receive maternity benefits representing 90 per cent of the net daily wage (at maximum 120 koruna for one working day). If a woman gives birth to two or more children, or if she is a woman alone, the maternity benefit continues to be provided even after the expiry of the 26-week maternity leave, but not longer than 35 weeks from the beginning of its provision. Also, an adoptive or foster mother is entitled to paid maternity leave for a period of up to 22 weeks from taking child into permanent care, until the child is seven months old (sections 157 to 160 of the Labour Code; sections 6 to 12 of Act No. 88/1968, Collection of Laws, in the valid wording; sections 20 to 27 of Act No. 103/1964, Collection of Laws, in the valid wording). The State provides the amount of 2 billion koruna for maternity benefits in a year.

In order to further improve maternity care, the employing organization is obliged to grant a woman who so requests it additional (unpaid) leave for a period until the child is two years old, even in the case of the first child (section 157, paragraph 2, of the Labour Code).

If a woman returns to work after the expiration of her maternity leave, the employing organization shall re-employ her in her original job and place of work. If such a woman returns after the expiration of additional maternity leave, the organization may employ her in another job which corresponds to the employment contract or at least to her qualifications (section 147 of the Labour Code).

In the Czechoslovak Socialist Republic in recent years, the number of women who were on paid and unpaid maternity leave exceeded 390,000. At the end of 1978, of the total number of 388,000 women on maternity leave, 124,000 were on paid maternity leave of 26 weeks and 268,000 were granted, after the expiration of paid maternity leave, additional (unpaid) maternity leave for the care of a child up to two years of age; about one half of them receives a maternity allowance (see below).

A mother who properly and for the whole day takes care of a child up to two years of age as well as another child or children up to the age of termination of

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compulsory school attendance or an older but disabled child requiring permanent care who has not reached the age of 26 years and has no income of its own (wage or any other remuneration) and does not receive social security benefits or benefits granted to applicants for employment, is entitled to maternity allowances; women alone are entitled to this benefit while taking care of one child up to two years of age. In the case of one child of up to two years of age, the maternity allowance amounts to 500 koruna monthly (that is, about one fifth of the average wage in the Czechoslovak Socialist Republic). If a woman takes care of two children of up to two years of age, the allowance amounts to 800 koruna monthly, in the case of three and more children of up to two years of age, 1,200 koruna monthly (sections 2 to 6 of Act No. 107/1971, Collection of Laws).

The maternity allowance was introduced in the Czechoslovak Socialist Republic in 1970 in the interest of improving population development (section 1 of Act No. 107/1971, Collection of Laws). This allowance is therefore paid only to a woman who fulfils conditions determined by law and if the children in the interest of whom the allowance is provided have Czechoslovak citizenship and live on Czechoslovak territory (section 2, paragraph 6, of Act No. 107/1971, Collection of Laws). In contrast to maternity benefits from social security (differential benefit in pregnancy and maternity, grant on the occasion of the birth of child, maternity benefits, children's allowances) which are provided to all working women irrespective of their citizenship and the citizenship of their children, the maternity allowance is a special allowance provided by the State (outside the framework of social security) and does not apply to women who take care of children having foreign citizenship or having no citizenship (the citizenship of the woman herself is not a decisive factor). While the maternity and family benefits from social security represent the realization of fundamental constitutional rights of working women and are therefore provided generally, the maternity allowance is a measure within the framework of the population policy of the State and its provision is therefore limited to the objectives pursued by this policy.

(4) As was mentioned in subsection 3 above, maternity and family benefits from social security are provided both to women employed on the basis of employment contract and to female members of production and agricultural co-operatives. Under the same conditions female public functionaries, post-graduate students of scientific and artistic branches, female applicants for employment etc., are entitled to these benefits. With the exception of the differential benefit in pregnancy and maternity (since it does not come into consideration), these benefits are granted to independent female artists (section 73 of Notice No. 128/1975, Collection of Laws). The grant on the occasion of the birth of child and children's allowances are provided also to self-employed persons (sections 123 and 124 of Notice No. 128/1975, Collection of Laws).

Material assistance is provided by local State organs in the form of articles needed for the satisfaction of needs of life if such articles cannot be obtained by parents with dependent children (especially mothers alone and pregnant women) from their own incomes. Material assistance is provided up to the amount of 5,000 koruna, and more in exceptional cases.

The one-time grant is made available to parents with dependent children and to pregnant mothers if they are unable to cover these expenditures from their own incomes in order to cover expenses which have arisen as a consequence of unusual living situations. The one-time grant is provided up to a maximum of 5,000 koruna, the maximum amount being provided in exceptional cases only.

A regularly repeating grant is provided in the case of the continuing unfavourable social situation of pregnant women alone, families with many children, incomplete families etc.

In 1979, the cost of providing the above-mentioned social security benefits (section 80, paragraph 4 (b), of Act No. 121/1975, Collection of Laws) was 200 million koruna.

Local State organs also establish homes for mothers with children. Mothers with children of up to three years of age are thus given the possibility of living with their children and establishing mutual emotional relationships which secure the proper care by the mother of her child. The home also helps the mother to become economically independent sooner.

C. Protection of children and young persons

(1) The principal laws and other legal regulations are as follows (if the full wording was given in section A above, the law is mentioned here in abbreviated form only):

Articles 20, 24 and 26 of the Constitution of the Czechoslovak Socialist Republic;

Constitutional Act No. 62/1978, Collection of Laws, altering article 24, paragraph 2, of the Constitution of the Czechoslovak Socialist Republic;

Act No. 53/1978, Collection of Laws, concerning measures in the system of fundamental and secondary schools (specifically section 34, paragraph 2, and subsequent section, sections 23 to 27 and 37 to 40);

Act of the Czech National Council No. 76/1978, Collection of Laws, and Act of the Slovak National Council No. 78/1978, Collection of Laws, concerning educational facilities;

Act No. 94/1963, Collection of Laws, The Family Code (especially section 41 and subsequent sections);

The Labour Code (especially article VIII of the Fundamental Principles, sections 11 and 83, paragraph 2; section 101, paragraph 2; sections 163 to 169; section 210, paragraph 3; sections 217 to 231);

The Penal Code, Act No. 140/1961, Collection of Laws, in the valid wording (especially section 212 - abandoning a child; section 213 - neglect of the duty of

maintenance; section 215 - cruelty to a person in care; section 216 - abduction; section 217 - endangering the moral upbringing of youth; section 218 - supplying alcoholic beverages to juveniles);

Act No. 150/1969, Collection of Laws (especially section 9, paragraph 2);

Act No. 20/1966, Collection of Laws, concerning the care of the health of people;

Act No. 121/1975, Collection of Laws, concerning social security;

Act of the Czech National Council No. 129/1975, Collection of Laws, and Act of the Slovak National Council No. 132/1975, Collection of Laws, as well as operational Notices in respect of them; Act of the Czech National Council No. 130/1975, Collection of Laws, and Act of the Slovak National Council No. 134/1975, Collection of Laws;

Act No. 50/1973, Collection of Laws, concerning foster care, in the wording of the Measure of the Government of the Czechoslovak Socialist Republic No. 68/1980, Collection of Laws;

Decree of the Government of the Czechoslovak Socialist Republic No. 54/1975, Collection of Laws, executing the Labour Code;

Notice No. 128/1975, Collection of Laws, executing the Act on social security, in the wording of Notices No. 83/1979, Collection of Laws, No. 108/1979, Collection of Laws, and No. 164/1979, Collection of Laws;

Notice No. 140/1968, Collection of Laws, concerning working relief and the economic security of those who study while employed;

Notice No. 132/1967, Collection of Laws, concerning the remuneration and material security of juveniles entering an employment relationship directly after termination of compulsory school attendance;

Notice No. 45/1966, Collection of Laws, concerning the creation and protection of healthy living conditions;

Operational Notices No. 51/1973, Collection of Laws, No. 52/1973, Collection of Laws, and No. 53/1973, Collection of Laws, concerning foster care.

Neither the Czechoslovak legal order nor practice differentiates between children born in or outside of wedlock; both are entitled to the same rights. Consequences which certain foreign legal orders associate with a child's birth outside lawful wedlock are not known to Czechoslovak law.

(2) For children who cannot live in their own family, substitute upbringing is provided either in institutional facilities or in the form of adoption or foster care (sections 45, 63 and subsequent sections of Act No. 94/1963, Collection of Laws; Act No. 50/1973, Collection of Laws, and Notices No. 51/1973, Collection of Laws, and No. 52/1973, Collection of Laws).

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In respect of a child given into foster care, the State pays an allowance to cover its needs in the amount of 650 koruna monthly and, for a child over 10 years, 750 koruna monthly. Foster parents receive a monthly remuneration of 200 koruna for the care of each child; they are also entitled to children's allowances. At the present time, 5,200 children are in foster care; the cost to the State represents roughly 38 million koruna a year.

The social legal protection of children is carried out by local State organs (national committees). They ensure the prevention of any injury which children or young people might suffer in the family, at work or elsewhere and protect them from harmful influences. They ascertain cases of disturbed families and of endangered or disturbed development of children and take steps to eliminate the causes or consequences; they can order or execute upbringing measures such as the reprimanding of a youth, his parents or citizens who disrupt his proper upbringing; the establishment of supervision over a juvenile etc. (section 80, paragraph 4 (a), and section 82 of Act No. 121/1975, Collection of Laws; section 13, paragraph 4, of the Act of the Czech National Council No. 129/1975, Collection of Laws, and section 13, paragraph 4, of the Act of the Slovak National Council No. 132/1975, Collection of Laws; section 15, paragraph 3, of Notice No. 130/1975, Collection of Laws, and Notice No. 134/1975, Collection of Laws).

The child (including an adopted one) of a deceased working parent (pensioner) is entitled to an orphan's pension which represents in the case of a half-orphaned child 50 per cent of the old-age or disability pension to which the working parent (pensioner) was entitled at a time of his death, whichever pension is higher; it is paid in the case of the death of either of the parents or foster parents. The orphan's pension in the case of a half orphaned child is at least 300 koruna monthly and in the case of a totally orphaned child, at least 500 koruna monthly. The orphan's pension may be granted up to 26 years of child's age, under conditions similar to those regulating the children's allowances. The wife of a deceased working man is entitled to a widow's pension of 60 per cent of the pension to which the deceased would have been entitled at a time of his death (sections 36 to 42 of Act No. 121/1975, Collection of Laws).

Protection of totally orphaned children is further increased by the fact that they are entitled to the orphan's pension even if the general conditions for this pension are not fulfilled; for example, if at least one of the parents (adoptive, foster parents) had, at a time of his death, permanent residence in Czechoslovakia (section 36, paragraph 2, of Act No. 121/1975, Collection of Laws). If the pension of a totally orphaned child is the only or main source of his income, that pension, together with any other income of the child, is increased to the amount of 780 koruna monthly (that is, almost one third of the average earnings in the Czechoslovak Socialist Republic); the same applies to the widow's pension if it is the widow's only source of income (section 42 of Act No. 121/1975, Collection of Laws).

If parents of a minor child do not live together either on the grounds of divorce or because the marriage has not been concluded, the court shall determine their rights and obligations even in the absence of a motion to this effect. The court shall in particular decide who should have the custody of the child and how

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each parent should contribute towards its maintenance (section 50 of Act No. 94/1963, Collection of Laws). The liability of maintenance of parents towards their children exists until the children are able to provide for themselves. Both parents contribute towards the maintenance of their children according to their ability and capability. When the scope of their liability for maintenance is being determined, account is taken of which parent takes personal care of the child and to what extent he or she does so (section 85 of Act No. 94/1963, Collection of Laws).

Local State organs provide special assistance to parents with dependent children, in particular to mothers/fathers alone taking care of a dependent child, and to women in pregnancy, if the family or pregnant women find themselves in conditions that they are unable to overcome through their own efforts. In order to satisfy the necessities of life of such citizens the local State organs provide material assistance, allowances, a nursing service and accommodation in homes for mothers with children (section 81 of Act No. 121/1975, Collection of Laws).

Children who do not have a sufficient income or property of their own and who are not properly looked after, in particular by the persons responsible for their maintenance, receive a regular allowance for maintenance of up to 400 koruna monthly; in the case of children over 10 years of age, up to 500 koruna monthly (section 126 of Notice No. 128/1975, Collection of Laws).

Special measures for the care of mentally and physically handicapped children

In the Czechoslovak Socialist Republic the all-round care of physically or mentally handicapped children and youth is ensured through legal regulations and decrees of the federal and the republic governments. The ministries of health, education and labour and social affairs participate in the provision of this care.

The basis of the system of all-round co-ordinated care is the registration of handicapped children and youth. Those registered are children and young people from the age of one to 18 years who, owing to physical or mental defects, are dependent on permanent or long-term health, social or educational care. According to the nature of the health defect, registration is divided into five categories on the basis of criteria worked out by the ministries of health. The handicapped individuals are included in registration on the basis of statements by a limited number of specialists. Registered also are children with minor defects if their families are unable to provide the necessary care. At the present time, a total of 76,000 children and young persons are registered (see, in particular, section 26 (c) of Act No. 129/1975, Collection of Laws, Act No. 132/1975, Collection of Laws, section 45 of Notice No. 130/1975, Collection of Laws, and Notice No. 134/1975, Collection of Laws).

The securing and assessment of all-round co-ordinated care for handicapped children are entrusted to the so-called working commissions established for that purpose in districts and regions. They are composed of specialists, in particular, physicians, pedagogues, psychologists etc.

Health care for handicapped children and youth is provided through the system of specialized health care facilities for children and facilities for juveniles.

The upbringing and education of those handicapped children and juveniles who are unable to attend normal schools with healthy children are provided through the system of schools for youth requiring special care. Schools are differentiated according to the kind of health defect. They range from kindergartens and fundamental schools to grammar and secondary professional schools and vocational schools. In Prague, a conservatory of music has been established for musically gifted youth with serious sight defects, the only such institute in Europe (section 23 and subsequent sections of Act No. 63/1978, Collection of Laws; section 25 and subsequent sections of the Act of the Czech National Council No. 76/1978, Collection of Laws; and section 23 and subsequent sections of the Act of the Slovak National Council No. 78/1978, Collection of Laws).

The overwhelming majority of these schools are boarding-schools. Schools for physically handicapped children and youth have been established in institutes of social care. All-round care is provided in these institutes to children from 3 to 16 years of age and, in cases of need, to 26 years of age, if the defect cannot be compensated or influenced by other measures and the necessary care cannot be provided by the family. This care includes full charge of the handicapped child such as his upbringing, education, preparation for a profession, necessary medical rehabilitation, interests and cultural activities, recreation etc. (section 64 of Notice No. 130/1975, Collection of Laws and Notice No. 134/1975, Collection of Laws).

Specialized institutes have also been established for non-educable, mentally handicapped children and youth, which provide all-round care. The more able children receive an education for the purpose of registering for work commensurate with their ability (section 65 of Notice No. 130/1975, Collection of Laws). Besides institutes offering permanent care, week-long or day-long stays may be arranged for these young people whereby they are given the necessary care, including training for simple manual work. These arrangements permit of closer ties between the child and his family (section 80, paragraph 4 (a); article 9 and section 94, paragraph 3, of Act No. 121/1975, Collection of Laws).

In institutes providing week-long and day-long stays increased attention is also given to the children's recreation and to their over-all development through suitable exercises and selected sports events. All-State sports games for physically handicapped young people from institutes of social care, and regional games for mentally handicapped youth are regularly organized and have proved successful.

An integral part of the system of care for handicapped children and youth is the special care given to young people whose health defect substantially limits them as regards the choice of their future profession. In the final year of their compulsory school attendance, these young people are examined by assessment commissions of social security and recommendations are made about the most suitable preparation for their future profession with regard to the state of their health, its prognosis and their abilities and interests. Vocational and work places are reserved in advance for such young people in the over-all plan and organizations are bound by the law to admit them to those reserved positions. Furthermore, handicapped youth applying for study are given priority over healthy

youth. The effect of the preparation on a young person's state of health is followed-up and, in specific cases, regular check-ups may be carried out. The necessary assistance in registering for suitable work after school preparation is also provided.

The above-mentioned services made available to handicapped children and youth are complemented by the system of advisory services and assistance in the field of benefits.

Parents of a handicapped child requiring permanent care are paid an allowance in addition to the children's allowances, in the amount of 300 koruna monthly up to the twenty-sixth year of age of the child (section 24, paragraph 2, of Act No. 88/1968, Collection of Laws). The period during which the mother takes care of a handicapped child is registered as a substitute period for purposes of pension security (section 11, paragraph 1 (e), of Act No. 121/1975, Collection of Laws). Care of a handicapped child gives the mother the right to receive a maternity allowance of 500 koruna until the child is 2 years of age, even if she does not take care of another child (section 2, paragraph 2 (b), of Act No. 107/1971, Collection of Laws). Disability of a child is one of the reasons for the provision of the orphan's pension, tax relief and children's allowances up to 26 years of age. The orphan's pension and the upbringing allowance may be further increased for reasons of total incapacity up to 400 koruna monthly. Serious congenital health defects of those acquired during childhood may be a condition for the granting of the disability pension to an individual even if he had never worked (section 40, paragraph 3; section 47; section 32, paragraph 2, of Act No. 121/1975, Collection of Laws).

Experts in the special kinds of care required for handicapped children and youth are educated in professional secondary schools and universities. Special preparation in health defects and pedagogy is organized also for foremen involved in the vocational training of apprentices.

Educational measures taken by local State organs (national committees) in cases of delinquent juveniles

In the case of the misbehaviour of a child, the competent local State organ investigates all circumstances of the case and settles it with the parties concerned. In more serious cases, it will reprimand the minor child if the settlement has not fulfilled the purpose. It may also order supervision of the minor. If those measures do not lead to correction, the district commission for the care of the family and children may impose restrictions - for example, prohibiting attendance of events and parties unsuitable for youth (section 41 and subsequent sections of Act No. 94/1963, Collection of Laws; section 15, paragraph (c); section 18, paragraphs 2 and 6, of the Act of the Czech National Council No. 129/1975, Collection of Laws, and of the Act of the Slovak National Council No. 132/1975, Collection of Laws; sections 17 and 18 of Notice No. 130/1975, Collection of Laws, and No. 134/1975, Collection of Laws).

State organs in districts ensure that children released from institutional or protective care, or juveniles released from the penalty of deprivation of freedom,

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are admitted to schools, appropriate apprenticeships or working relationships; they find suitable accommodation for those young people; participate in the penal proceedings against them; and register children whose upbringing is difficult.

The district organs also carry out inquiries regarding conditions in the families of juveniles, organize educational meetings with juveniles and other persons and provide young people with active assistance in difficult living situations. When a young person is released from an educational institution, they follow his further development for a period of at least two years.

Finally, they pay increased attention to conditionally sentenced and conditionally released juveniles and see whether in the probationary period they lead the orderly life of a working man and comply with the restrictions imposed by the court (sect. 15 of the Act of the Czech National Council No. 129/1975, Collection of Laws, and of the Act of the Slovak National Council No. 132/1975, Collection of Laws).

(3) In the Czechoslovak Socialist Republic economic and social exploitation of children does not exist. The Labour Code and regulations executing it determine precisely the age from which and conditions under which a young person may be employed.

Measures to protect children against neglect were mentioned in subsection C (2) above. Reference may further be made to the provisions of the Penal Code dealing with the abandoning of a child (sect. 212), neglect of the duty of maintenance (sect. 213), cruelty to the person in care (sect. 215), abduction (sect. 216), endangering of the moral upbringing of the youth (sect. 217) and supplying of alcoholic beverages to juveniles (sect. 218). Moreover, the following provisions of the Penal Code refer explicitly to children and juveniles: murder of a newly born child by the mother (sect. 220), abduction abroad (sect. 233), rape (sect. 241), sexual abuse (sects. 242 and 243), sexual intercourse with a person of the same sex (sect. 244) and traffic in women (sect. 246).

(4) Under section 11, paragraph 1, of the Labour Code, in the wording promulgated under Act No. 55/1975, Collection of Laws, the day on which a young person is to begin working or learning a trade as an apprentice may not precede the day on which he completes his compulsory school attendance. Under section 34 of Act No. 63/1978, Collection of Laws, compulsory school attendance begins on the first day of the school year (that is, on 1 September) which follows the day on which the child reached the sixth year of age and lasts in principle for 10 years. So far, however, for a temporary period, compulsory school attendance lasts in most cases for nine years. The fundamental nine-year school will have been completely abolished by the end of August 1984 (sect. 44, para. 2, of the above-mentioned Act). The overwhelming majority of pupils at the present time leave the fundamental school at the age of 15 years; that age will be raised to 16 years in 1984.

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In the case of a juvenile worker or apprentice the employing organization shall obtain the opinion of his legal representative when concluding with him an employment or apprenticeship contract (sect. 164 of the Labour Code). Also, termination of the employment of a juvenile worker by the organization shall be reported to his legal representative.

The number of hours worked shall not exceed 42 1/2 per week. Employees under 16 years of age shall not work more than 36 hours per week. Juvenile employees over 16 years of age who are permitted to work in the mining industry underground because such work is a part of the training for their future profession shall not be engaged in such work for more than 40 hours per week (sect. 83 of the Labour Code).

Under section 90, paragraph 1, of the Labour Code a juvenile worker must have at least 12 hours of uninterrupted rest between the end of one shift and the beginning of the next one. However, juveniles, according to their age, have usually 16 to 18 hours of uninterrupted rest between shifts.

Once a week a juvenile worker must be given an uninterrupted rest period of at least 32 hours (sect. 92, para. 1, of the Labour Code). In practice, however, once a week, usually on Saturday and Sunday, juveniles have an uninterrupted rest period of about two and a half days.

Enterprises may employ adolescents only in work that is not likely to hamper their physical and mental development. Adolescents may not be employed for overtime work or on night shifts. In exceptional cases, adolescents over 16 years of age may do night work not exceeding one hour if such work is essential to their training for a profession. Adolescents under 16 years of age may not be employed to do piece-rate work and in remunerating them the organization may not use piece-rate wage tariffs.

For violations of labour-law regulations concerning juvenile workers the national committees may impose fines up to the amount of 100,000 koruna and, in the case of repeated violations, up to the amount of 500,000 koruna (sect. 270 of the Labour Code).

Under Act No. 174/1968, Collection of Laws, concerning State professional supervision of safety at work, supervision of observance of the regulations determining the working conditions of adolescents is carried out by State organs for the professional supervision of safety at work, i.e., inspectorates of safety at work.

These organs carry out systematic supervision, in particular of the observance of provisions on the prohibition of overtime work and night work in respect of juveniles, on work prohibited to adolescents and on working conditions of adolescents. They are entitled to prohibit overtime work and night work if the work is done in contradiction of valid regulations. State organs for the professional supervision of safety at work are further entitled to impose fines for the violation of the above-mentioned regulations both on organizations and on workers in the organization who are directly responsible for the violation of those regulations (up to three times their average earnings).

(5) Adolescents may not be employed in jobs which, with regard to the anatomical, physiological and psychological limitations of their age, are unsuitable, dangerous or harmful to their health; or in jobs in which they are exposed to increased risk of injury or in which they could endanger the health and safety of other persons (sect. 163 and subsequent sections of the Labour Code). (As regards fines for the violation of these regulations, see the last paragraph of subsection (4) above.)

(6) Adolescents may not enter into employment or any other similar relationship before the termination of their compulsory school attendance (see subsect. (4) above).

At the present time, only about 15,000 young people in the age group of 15 to 16 years are in an employment relationship. Of those, about 11,000 are employed in industry, 0.8 thousand in agriculture, 0.9 thousand in trade and 0.6 thousand in the building industry.

Data regarding the detailed age structure of all adolescents in the age group up to 18 years in the Czechoslovak Socialist Republic will be available from the results of the census taken on 1 November 1980. According to the results of the last census, carried out in the Czechoslovak Socialist Republic on 1 December 1970, there were 68,100 economically active persons between the ages of 16 and 17 years and 154,200 between the ages of 17 and 18 years (including those assisting family members in agriculture).

ARTICLE 11. THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

A. Measures taken

Measures aimed at raising the standard of living of all strata of the population are contained in the state national economy plan - the five-year plans and annual operational plans. These plans evolve from Act No. 145/1970, Collection of Laws, concerning national economy planning. State plan indicators are identical in method with the statistical ascertainment of facts and thus make statistical control of the execution of the plan possible.

B. Right to adequate food

(1) The principle laws and other legal provisions are as follows (where the full text was given in connexion with art. 10 above, it is mentioned here in an abbreviated form only):

Article 15, paragraph 1, of the Constitution of the Czechoslovak Socialist Republic of 1960;

Article 18 of constitutional Act No. 143/1968 on the Czechoslovak Federation, as amended and supplemented by Acts No. 177/1969, No. 125/1970 and No. 43/1971, Collection of Laws;

Civil Code (sects. 239 to 256);

Act No. 20/1966, Collection of Laws, concerning the health care of the people (particularly sect. 2, para. 1 (b));

Act No. 122/1975, Collection of Laws, concerning agricultural co-operatives (particularly sects. 1 to 7 and 90 to 104);

Economic Code No. 109/1964, Collection of Laws, as amended and supplemented by Decree No. 37/1971, Collection of Laws (particularly sects. 259 to 268);

Act of the Czech National Council No. 76/1978, Collection of Laws, and Act of the Slovak National Council No. 78/1978, Collection of Laws, concerning educational establishments;

Labour Code (particularly sect. 140, para. 1);

Act No. 121/1975, Collection of Laws, on social security;

Act No. 122/1962, Collection of Laws, concerning state agricultural, food and commercial inspection, as amended and supplemented by Act No. 31/1968, Collection of Laws;

Order of the Government of the Czechoslovak Socialist Republic No. 25/1974, Collection of Laws, concerning canteens;

Notice No. 45/1966, Collection of Laws, concerning the establishment and protection of healthy life conditions (particularly sects. 24 to 29 on food hygiene);

Notice No. 13/1968, Collection of Laws, determining the rules for commercial undertakings (change for the Czech Socialist Republic introduced by Notice No. 105/1971, Collection of Laws);

Notice No. 159/1975, Collection of Laws, concerning co-operation in agriculture and its forms;

Notices No. 121/1974 and No. 19/1975, Collection of Laws, on the system of health establishments;

Notice No. 128/1975, Collection of Laws, by which the Social Security Act is implemented.

It follows from the above provisions that in the Czechoslovak Socialist Republic the right to adequate food is fulfilled, in particular, by the following means:

A network of state and co-operative trading the supplies for the national market are determined by a plan; obligatory limits of supplies are fixed for the main food groups both in quantity and assortment and are controlled by the appropriate state authorities, in particular by national committees and other

institutions authorized by the relevant legal provisions (State Commercial Inspection, State Inspection on the Control of Food Quality, Hygiene Service of the Ministries of Health of the Czech Socialist Republic and Slovak Socialist Republic etc.);

Meals served to hospitalized persons in health-care establishments, spas, social care establishments; by meals served in school canteens at all levels and types of schools and school establishments; and by the network of canteens for employees of enterprises and institutions, usually operating at the place of work. These types of meals are governed by the appropriate food norms in the form of generally valid provisions; their culinary processing is supervised by hygiene control.

(2) The socialist collectivization of agriculture (1949-1960) in Czechoslovakia represented a fundamental "reform of the existing agrarian system" carried out "for the purpose of the attainment of the most effective development and utilization of natural resources". Basically, it involved the voluntary collaboration of working peasants in the building of agricultural large-scale production by way of agricultural production co-operatives with the assistance and support of the State. The bringing together of individual farms to form unified agricultural production co-operatives meant the end of small-scale production, with the active participation of the peasants themselves, the combining of their interests with the interests of the society as a whole and thus the creation not only of organizationally technological agricultural production on a large scale, but also of a social basis for the development of such production; it also meant an increase in the standard of living of the immediate producers. During the initial stage of the co-operative movement in the village, that is, in 1949, there were 1.5 million agricultural enterprises in Czechoslovakia, the average area of an enterprise being 5 hectares of agricultural land and 3.5 hectares of arable land (these 1.5 million enterprises worked on 33 million large and small fields with an average area of 0.2 hectares). The primary aim of collectivization was, therefore, the concentration and centralization of agricultural production: at the end of the collectivization process (1960), 10,816 agricultural co-operatives each worked on an average area of 420 hectares of agricultural land. The transfer of peasants from private small-scale production to socialist (collective) large-scale production also meant the transformation of the individual peasant into a member of a new class of co-operative farmers; the reconstruction of small-scale agricultural production on the basis of socialist co-operative large-scale production was, therefore, of extraordinary significance not only from the point of view of the economy but also from the social and political points of view.

After the period of collectivization (1960-1970), the main efforts of the agricultural policy were aimed at the consolidation of the unified agricultural co-operatives, that is, at strengthening the socialist production relationships in agriculture, building of effective agricultural production on the basis of modern technology and the achievements of agricultural science. A planned process of consolidation and specialization of agricultural production has been taking place in the Czechoslovak Socialist Republic since approximately 1970, the reflection of which is the co-operation and unification of agricultural

enterprises and the development of integral relationships with the food industry. In 1970, the number of unified agricultural co-operatives fell to 6,270; the average area of agricultural land worked by them, however, has increased to 638 hectares. At the time of the discussion on the Agricultural Co-operative Act (by 30 June 1975) the number of co-operatives had fallen further to 2,206, while the average area had increased to 1,920 hectares of agricultural land. The number of permanently active persons in the co-operatives fell, primarily owing to the introduction of new, modern technology: between 1963 and 1974, that number fell from 806,000 to 668,717. By 1974, in comparison with 1948, large-scale agricultural production had increased by 92.1 per cent and the production of grain by 119.3 per cent. Gross plant production per hectare increased by 62 per cent and gross livestock production per hectare by 161 per cent. Gross production per agricultural worker increased by 337.3 per cent (in livestock production by as much as 420 per cent). During 1974-1975, the average yield per hectare was approximately 34.4 quintals, in comparison with 1 quintal during 1965-1970.

In addition to co-operative organizations, the state farms are also involved in large-scale agricultural production. The following data are given to show their comparative importance: of the total area of 7,042,113 hectares of agricultural land in the Czechoslovak Socialist Republic by 1 January 1975, the state farms were working on 20.4 per cent, other state enterprises on 9.7 per cent, the unified agricultural co-operatives on 62.2 per cent, the individually working peasants on 6.2 per cent and urban and similar units on 0.5 per cent. The area of land not belonging to agricultural enterprises was about 1 per cent. Of the total amount of grain purchased in 1974, the co-operatives supplied 74.3 per cent, state farms 19.4 per cent, other enterprises 6.3 per cent; co-operatives supplied 78.7 per cent of sugar beet, state farms 13.3 per cent, other state enterprises 8 per cent; co-operatives supplied 61.6 per cent of meat; state farms 16.4 per cent.

There are other state enterprises in the field of agriculture and food, namely, plant and seed nurseries, breeding farms, large-scale livestock production farms etc., which fulfil their specific production tasks and are usually organized as trusts of national enterprises; furthermore there are school farms and forests for the purpose of education, as well as other enterprises; for example, state fisheries, military forests and farms.

In the interests of purposeful specialization and concentration of agricultural production and effective implementation of large-scale production technologies and techniques, the co-operatives have established effective co-operation among themselves or with other mainly agricultural organizations (state farms etc.) in the form of co-operative associations or social agricultural enterprises (sect. 90, Act No. 122/1975, Collection of Laws, on agricultural co-operatives).

(3) The task of the agricultural production co-operatives (as well as that of state farms) is, in particular, to permit the development of socialist agricultural large-scale production in accordance with the national economy plans

and with the principles of a socialist economy, the implementation of the achievements of scientific and technological progress and the introduction of new progressive means and forms of organization and management of production and labour in agriculture, as well as the full utilization of the land and other production means and resources to fulfil the increase in social needs, greater intensity and effectiveness of production and market production for the state funds (sect. 7, paras. 1 (a) to 1 (c), Act No. 122/1975, Collection of Laws, on agricultural co-operatives).

Measures for the development of the agriculture and food industry are undertaken in accordance with the appropriate parts of the national economy plan. The managing organs are the Ministries of Agriculture and Food of the Czechoslovak Federation and both national republics, the Czech Socialist Republic and the Slovak Socialist Republic. The scientific and research basis of the agriculture and food industry is responsible to them.

The research in the field of agriculture and food for the population is the prior concern of the Research Institute of the Economy of Agriculture and Food in Prague, the Research Institute of Nutrition of the People in Bratislava and the Research Institute of Preventive Medicine in Bratislava, all in close co-operation with the scientific and research units of the Ministry of Health - primarily with the Institute of Hygiene and Epidemiology, the centre for research on the metabolism and food in Prague.

(4) In the past decade integrated relationships have developed in the Czechoslovak Socialist Republic between basic agricultural production and the processing industry, particularly the food processing industry, leading to the establishment of associations of agricultural and processing enterprises and national trade organizations with the aim of securing the production and supply of better raw materials, their processing and improving distribution to the consumer. They are at present regulated by the "Principles of further development of concentration and specialization in agricultural production and of integrated ties with the food industry in the Sixth Five-year Plan period", approved in 1975 (for the period of the Seventh Five-year Plan (1981-1985), similar principles will be issued). These principles represent a link between agriculture and other fields of the national economy, in particular the food industry and the processing industry, as well as trade organizations distributing the products, that is, they proceed from the basic agricultural production or precede it by research and supply of means production. Modern agriculture is surrounded by a considerable number of organizations belonging to various economic fields in the framework of which the agricultural and food industries form the core of the agricultural and food complex (agrocomplex), ensuring the supply of food for the people.

Established agrochemical enterprises offer specialized services in plant production and carry out the tasks connected with food and plant preservation (sect. 96, para. 1, Act No. 122/1975, Collection of Laws). Amelioration enterprises are established for the purpose of the preparation of projects, planning, construction, management and maintenance of water economy and amelioration equipment, construction of reservoirs and ponds and regulation of smaller streams (sect. 96, para. 2, of the said Act).

(5) Among the chief results of the scientific research in the field of agriculture and food are the following recommendations for individual age and profession groups of the population with regard to the formulation of:

(a) Requirements of food for individual age and profession groups of the population as far as the fundamental nutrition factors are concerned (extension is envisaged from 1981): the energy value of food, the consumption of albumen, fats, saccharides, mineral substances (calcium, phosphorus, iron) and supplementary substances (vitamins A, B₁, B₂, P-P and C);

(b) Requirements of food for individual age and profession groups of the population. These recommended requirements of food are formulated as the actual quantity consumed of concrete groups of food industries or products corresponding with the recommended food requirements. The basic model of those recommended requirements of food comprises 25 food groups and products.

The recommended nutrition requirements and the recommended food requirements have been applied since 1971 and have been elaborated at five-year intervals. They were approved by both national Ministries of Health and are valid all over the territory of the Czechoslovak Socialist Republic. For the purpose of their practical use in the evaluation of food consumption and nutrition, they are measured bearing in mind the balance of the population and its professional structure per capita.

(6) In Czechoslovakia, statistical data on the actual consumption of food per capita per year are regularly and annually assembled. These data are then published. The way those data are determined is based on the method of balance, proceeding from gross agricultural production, the balance of food industry and trade, thus obtaining a review of all resources of the food under control or food groups and their divisions. To the amount destined as food for the population is added the sale in retail establishments, consumption in restaurants, out-of-the-market consumers (in health care establishments, social institutes, school and enterprise canteens etc.) and consumption by the food industry for the production of other food products and the natural consumption (particularly in the households of agricultural workers). The data on food consumption are in the majority of cases comparable to the data collected by the Food and Agriculture Organization of the United Nations. Approximately 95 food raw materials and products are offered for consumption per capita in the Czechoslovak Socialist practice.

The nutrition picture of food with regard to the nutrition factors as set forth in the recommended nutrition requirements, i.e., the recommended amounts per capita per day, is used for the enumeration of the statistical data on the nutrition of the population. These data on the consumption of individual kinds of food, that is, their nutrition values, are amended in accordance with the Table of Nutrition Values of Food worked out by the scientific and research unit, approved through the appropriate legal procedure and published in the form of a book.

(7) Measures to improve nutrition and food consumption, in addition to measures aimed at ensuring healthy living conditions, are based, in particular, on the provisions of section 2, paragraph 1 (b), Act No. 20/1966, Collection of Laws, and sections 24 to 29, Notice No. 45/1966, Collection of Laws. In accordance with section 27 of that Notice, the health authorities stipulate, on the basis of scientific knowledge and research, the principles of correct nutrition for individual groups of the population, taking into account age, level of activity and state of health. These principles are contained in the fundamental materials and represent the basis for the direction of nutrition requirements and food consumption at individual levels of management, including the ministerial level. Authorities and organizations which can influence the composition of the food for the population are obliged to follow these principles in the production and importing of food-stuffs, in their introduction to the consumer market and to places of common food consumption, that is, restaurants, crèches and kindergartens, schools of all levels, canteens, health establishments (hospitals, spas) and social care establishments. These authorities and organizations are obliged to discuss the proposals on consumer plans with the district or even regional hygienist. Directives on the principles of hygiene pertaining to the production, stocking and serving of frozen and cooled ready-made dishes in public consumption establishments were published recently (No. 54/1980, Collection of Laws, concerning Provisions on Hygiene).

(8) Education on nutrition is very extensive in the Czechoslovak Socialist Republic, from special articles in magazines and non-periodicals of specialists on nutrition, primarily doctors, to thematic leaflets destined for the widest possible number of the population and issued in the framework of health education. The Society for Rational Food has existed in Czechoslovakia for a number of years; it has the character of a social organization and unites not only the leading specialists on rational food but also workers of the food industry as well as other members. It publishes its own magazine, "Nutrition of the People".

In the Czechoslovak Socialist Republic, where the healthy feeding of the population is part of the care in respect of the creation and protection of healthy working conditions and a healthy way of life, nutrition norms for the energy provided by the main food-stuffs and vitamins, as well as other substances followed by recommended requirements of food per consumer in different variations, have been worked out for individual categories of the population and recommended physically.

Similarly as in the case of the care of children and youth in the framework of the creation and protection of healthy living conditions, the Chief Hygienist of the Czech Socialist Republic and the Chief Hygienist of the Slovak Socialist Republic published a concept on food hygiene pertaining to the problems of nutrition. The subject and aim of that field is the study of the influence of food on the health of the population under actual living and working conditions and the stipulation and implementation of such food demands as well as individual kinds of food promoting health, resistance to disease, biological activity, performance productivity of labour, prolongation of life and feelings of happiness on the part of the people. The concept is published in Bulletin No. 4/1976, Ministry of Agriculture of the Czech Socialist Republic and No. 27/1976, Ministry of Agriculture of the Slovak Socialist Republic.

(9) The proposal for an interministerial concept on the observation of residuals of pesticides in food was worked out in the Czechoslovak Socialist Republic and has been followed by draft principles of the Federal Ministry of Agriculture and Food on a unified system of control of foreign substances in soil, fodder, agricultural and food products with which the above-mentioned regulation on foreign substances in food is closely connected.

Representatives of the Ministries of Health of the Czech Socialist Republic and the Slovak Socialist Republic are members of the working groups of the Permanent Commission on Standardization of the Council for Mutual Economic Assistance (CMEA), namely, of the working groups on the protection of labour and the section on the safety of technology and the working groups on the stipulation of the basis for economic norms in CMEA States, as well as of the CMEA Permanent Commission on Health, the CMEA Permanent Commission on the Chemical Industry and the Permanent Commission on the Food Industry.

The health education of the population, particularly of children and youth, forms an integral part of the health care in the field of preventive treatment and the creation and protection of the living environment. Both national ministries are the directing centres of the health care of the population in the Czechoslovak Socialist Republic and for this activity institutes for education on health have been established in Bratislava and in Prague. These institutes methodically direct the activities of the departments of health education of the National Health Institutes in Czechoslovakia. All mass communication media are used for the purpose of health education. Consistent care is given in the sphere of health care to the creation and protection of the living environment and recently likewise to food requirements.

(10) Consumption per capita per year

	<u>Unit of measure</u>	<u>1960</u>	<u>1978</u> (preliminary)
Meat, in total, expressed in the value of bones	kg	56.8	83.2
Milk, in total, without butter	kg	173.0	226.3
Fats, in total, expressed in 100 per cent of fat	kg	19.3	20.0
Sugar refined	kg	36.3	38.3
Grain, in total, expressed in the value of flour	kg	125.9	107.8
Outwear	pieces	2.2	3.0
Textile underwear	pieces	3.0	4.0
Stockings	pairs	5.1	10.1
Shoes	pairs	4.2	4.7

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Growth of real wage in the Czechoslovak Socialist Republic

<u>Index of real wage</u>	<u>1955</u>	<u>1970</u>	<u>1975</u>	<u>1978</u>
1955 = 100	100.0	158.5	187.9	197.7
1970 = 100		100.0	118.8	124.7

C. Right to adequate clothing

In this section, the system of General Provisions for Reports may be observed because in the Czechoslovak Socialist Republic there is no law or other jurisdiction concerning clothing; the other items require no special data either.

The right to adequate clothing is realized as an indivisible part of supplying the population with consumer industrial goods. This is primarily carried out through the retail network of state and co-operative trade and, to a less extent, by supplies to out-of-the market consumers.

The national resources supply and the amount imported are fixed for the national market mainly by means of obligatory limits and are subject to control by the State and other competent institutions. Obligatory limits to supplies are fixed for the following consumer groups: wool textiles, cotton textiles, silk textiles, textile underwear, knitted underwear, knitted outerwear, textile and non-textile clothing, stockings, leather shoes and shoes from other materials.

Clothing consumption is apparent from the statistical data given in subsection B 10 above.

D. Right to housing

(1) The principal laws and other regulations are as follows (where the full text has already been given above, it is mentioned here in an abbreviated form only):

Civil Code No. 40/1964, Collection of Laws (particularly Part III, sections 152 to 195);

Act No. 41/1964, Collection of Laws concerning the management of flats;

Act No. 52/1966, Collection of Laws, concerning personal ownership of flats, as amended and supplemented by Act No. 30/1978, Collection of Laws;

Notice No. 60/1964, Collection of Laws, concerning rents of flats and payments for services connected with the use of a flat, as amended and supplemented by Act No. 96/1976, Collection of Laws;

Notice No. 177/1964, Collection of Laws, providing for certain provisions of Act No. 41/1964, Collection of Laws, concerning the management of flats;

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Notice No. 66/1966, Collection of Laws, on assistance for the construction of apartment houses and flats in personal ownership and the sale of flats in national ownership to citizens;

Notice No. 160/1976, Collection of Laws, concerning financial and credit assistance to co-operative and individual flat construction.

(2) Approximately 396,000 flats were destroyed or damaged during the Second World War in the Czechoslovak Socialist Republic. After the war the State took over a considerable number of old, dilapidated flats.

The provisions pertaining to the right to the permanent use of a flat, as contained in the institution of protected rents, are among the most important measures adopted after the war (section 382 and Civil Court Code in force at that time, that is Act No. 142/1950, Collection of Laws, concerning the rent of flats or parts of flats, guest rooms in housing establishments and rooms in youth and student hostels as well as subletting flats, renting rooms in boarding houses etc.; protected rents enjoyed special protection from the point of view of the procedural right (termination of rent only upon approval of court or settlement, the court giving approval only for serious reasons mentioned in the execution order; impossibility of execution by leaving the flat without compensatory flat)). Comfortable living became accessible to all strata of the population after the war. The State has taken on the task of financing mass housing construction.

During the period of 10 to 15 years after the war the volume of housing construction was unfavourably influenced by the necessity of directing investment construction primarily towards the reconstruction of the economy damaged by the war and the centralization of the building capacity on the production sphere.

At the end of the 1950s, the housing question came to the centre of the attention of the public and the State as one of the fundamental social, political and economic problems. A long-term programme of housing construction was adopted in 1959, on the basis of which changes were made in the structure of housing construction particularly in its form (co-operative construction originated and developed spontaneously). During 1946-1973, 1,809,000 flats were built; of that number, 1,106,000 were in the Czech Socialist Republic and 702,000 were in the Slovak Socialist Republic.

The housing construction and housing policy in past years (according to the data available to 1975) has resulted in basically qualitative housing. Fifty per cent of the total fund of state housing was built after the war (in the Czech Socialist Republic 45 per cent and in the Slovak Socialist Republic 65 per cent).

New flats are built in accordance with modern standards; 98 per cent have central heating, 88 per cent gas and 99 per cent hot water.

The rapid decrease in the old housing fund was of considerable significance for the improvement of the total capacity of the housing fund; for example,

during 1961-1970 258,000 flats constructed before 1900 were demolished. The share of flats without basic facilities thus decreased from 61 per cent to 38.3 per cent of the total housing fund. The number of comfortable modern flats increased from 6.1 per cent to 23.8 per cent.

Two-room flats represented the greatest number in the new housing construction until 1965; since then, the greatest number built have been three-room flats (42-50 per cent), the so-called two-generation flats (destined for families with children); the number of those larger flats and the total housing fund increased between 1961 and 1970 from 17 per cent to 30.6 per cent.

From 1961 to 1970 the average dwelling area increased from 35 square metres to 39 square metres; in 1961 there was an average of two persons per room; by 1970 the average had improved to 1.6 persons.

During the period of the Fifth Five-year Plan, 1971-1975, 615,000 flats were built; by 1975 60 per cent of all households lived in modern flats.

For the period of the Sixth Five-year Plan, 1976-1980, the construction of 640,000 new flats is planned as well as the modernization and reconstruction of the present housing fund, with particular attention to the capital city of Prague and the city of Bratislava, as well as selected parts of the Northern Bohemian region. The number of flats with three or more rooms will be increased; these flats, moreover, will be of a higher modern standard. The plan takes into account the modernization, reconstruction and maintenance of the housing fund, including flats in private ownership (the scope of these works is to be increased by one fourth).

Local authorities (national committees) assemble lists of applicants for flats, determine their precedence according to the urgency of need and of the importance of employment and allocate free flats accordingly. The right to conclude a proper rent contract with the owner of the house arises only after the allocation of the flat. Approval of the national committee is also necessary for the exchange of flats (sections 6 to 33, Act No. 41/1964, Collection of Laws).

In practice, flats from state housing construction are allocated by state authorities to families with low incomes while families with higher incomes solve their situation in the framework of co-operative construction (subject to payment of the membership share) or by the purchase of flats for private ownership or construction of their own family houses.

(3) Housing construction is organized and managed by state organizations obliged to employ the most modern scientific and technological knowledge. The appropriate state authorities (construction organs) approve all projects and, in accordance with the relevant legal regulations, study whether all the necessary requirements have been complied with, primarily from the point of view of security and protection of the living environment.

(4) Measures pertaining to the solution of special housing problems, water supplies and sanitary conditions in the rural areas are generally contained in the election programmes of the national committees (the representative state bodies in

communities, districts and regions), in all cases for the election period of five years. In the rural districts and villages, these programmes are also aimed at improving communications, drainage, sewers, public water supplies etc. In the Czechoslovak Socialist Republic all villages have electricity. By 1975, 63 per cent of flats had been connected to public water supplies.

(5) In the Czechoslovak Socialist Republic there is a uniform legal regulation on the payment of rent for the use of a flat and services connected with such use (Notice No. 60/1964, Collection of Laws); it is not possible to arrange other forms of payment (section 168, Civil Code). According to their facilities, flats are divided into four categories; the annual payment for the use of a flat is fixed accordingly to the dwelling area and the area not designated for living as well as by fixed rates for the basic facilities (kitchen equipment, WC, store-room, etc.); or it is increased or decreased in accordance with the quality of the flat and its facilities. The rates are comparatively low, for example, the annual rate for one square metre of floor area is 20 koruna for the first category dwelling area and 12 koruna for rooms not designated as first category; the annual rate for first category flat facilities is 400 koruna and for the other facilities, for example, a refrigerator, 150 koruna, floor-heating, 150 koruna, kitchen equipment, 50 to 80 koruna etc. Since the average monthly wage in the Czechoslovak Socialist Republic is 2,517 koruna, the costs of flats are very low in the family budget, if both spouses are employed.

Protection of tenants has been further increased by the fact that the right to use a flat ceases only on the basis of a contract or declaration by the user to the effect that he does not wish to use the flat further, on the basis of a court decision on the proposal of the renter (housing organization), upon reasons mentioned in the law or upon decision of the housing authority, likewise owing to reasons stated by law (sections 183 to 185, Civil Code). The user is not obliged to vacate the flat until an adequate substitute flat is allocated to him or, in exceptional cases, substitute accommodation (section 186, Civil Code).

(6) During the period of the Five-year Plan, 1971-1975, financial participation of the State, enterprises and population in the construction of complexes housing amounted to:

Allocation from the state budget	42 per cent
State contribution to co-operative and individual housing construction	24 per cent
Investment credits for enterprise and co-operative construction	9 per cent
Participation by enterprises	5 per cent
Loans from financial institutions	8 per cent
Participation by the population	11 per cent

ARTICLE 12. THE RIGHT TO PHYSICAL AND MENTAL HEALTH

Principal laws and other regulations are as follows (where the full text has already been given above, it is mentioned here in an abbreviated form only):

Articles 23 and 26 of the Constitution of the Czechoslovak Socialist Republic of 1960;

Act No. 20/1966, Collection of Laws, concerning the care of the health of the people;

Act No. 54/1956, Collection of Laws, concerning sickness insurance of employees, as amended and supplemented, as well as Act No. 103/1964, Collection of Laws, as amended and supplemented:

Labour Code, as amended and supplemented under Declaration No. 55/1975, Collection of Laws;

Act No. 174/1968, Collection of Laws, concerning special state supervision over labour security;

Act No. 35/1967, Collection of Laws, concerning measures against air pollution;

Act No. 69/1976, Collection of Laws, concerning National Committees, as amended and supplemented by Act No. 27/1972, Collection of Laws and Act No. 28/1972, Collection of Laws;

Act No. 33/1965, Collection of Laws, concerning the payment of costs arising for the State from accidents, occupational diseases and other injuries to health (repressive compensations);

Act No. 107/1971, Collection of Laws, concerning maternity allowances;

Act No. 36/1957, Collection of Laws, concerning the imposition of fines for violation of the legal provisions on the creation and protection of healthy living conditions;

Act No. 121/1975, Collection of Laws, concerning social security;

Notice No. 42/1966, Collection of Laws, concerning medical preventive care;

Notice No. 121/1974, Collection of Laws, concerning the system of health establishments;

Notice No. 45/1966, Collection of Laws, concerning the creation and protection of healthy living conditions;

Notice No. 46/1966, Collection of Laws, concerning measures against contagious diseases, as amended and supplemented by Notices No. 17/1974, Collection of Laws (for the Czech Socialist Republic) and No. 21/1974, Collection of Laws (for the Slovak Socialist Republic);

Notice No. 59/1972, Collection of Laws (for the Czech Socialist Republic) and Notice No. 65/1972, Collection of Laws (for the Slovak Socialist Republic) concerning protection against ionizing rays;

Notice No. 143/1965, Collection of Laws, concerning sickness benefits as amended and supplemented by Notice No. 113/1975, Collection of Laws;

Notice No. 32/1965, Collection of Laws, concerning compensation for pain and more difficult social position, as amended and supplemented by Notice No. 84/1967, Collection of Laws;

Notice No. 34/1965, Collection of Laws, concerning the law on regressive compensations, as amended and supplemented by Notices No. 86/1966, Collection of Laws, and No. 38/1968, Collection of Laws;

Decree No. 57/1967, Collection of Laws, concerning poisons and other substances harmful to health, together with Notice No. 56/1967, Collection of Laws;

Notice No. 13/1977, Collection of Laws, concerning the protection of health from the harmful effects of noise and vibration.

A. Information

Introduction

Since 1949 health care in the Czechoslovak Socialist Republic has been a State responsibility (private consulting rooms are non-existent); all health, out-patient and hospital care, including medicaments, treatment and orthopaedic aids, is free of charge. From the organizational point of view, health care is part of the services provided by the National Health Institutes, directed in districts and regions by national committees and centrally by the two Ministries of Health of the two Republics forming the Czechoslovak Socialist Republic.

(1) In the Czechoslovak Socialist Republic great attention is devoted to pregnant women; on the average, a pregnant woman is given nine medical examinations. This care is made possible by an extensive network of out-patient institutes providing good quality and accessible care.

In the framework of pre-natal care, courses on psycho-prophylactic preparations for birth are held for pregnant women, particularly first pregnancies. Care of women with dangerous and abnormal pregnancies is continually increasing. These women enjoy various dispensations and are given special care according to the level of danger. The most serious cases are hospitalized in female wards of hospitals where a certain number of beds are reserved for them. These selected wards are supervised by specialists in dangerous pregnancies and equipped with modern machinery. These measures are for the purpose of reducing spontaneous miscarriages and pre-natal mortality, and safeguarding the healthy development of the child.

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The increase in the number of out-patient and hospital beds in the sphere of the care of women, which involves a considerable volume of activities, is reflected in better main indicators on the results of work in that field.

While in 1953, 25 per cent of pregnant women were in treatment up to four months of pregnancy, in the period 1975-1978 this figure increased to 96.5 per cent. In 1948, only 15 per cent of pregnant women gave birth to their children in maternity hospitals. Since 1968 all children have been born in maternity hospitals; in other words, all births take place under qualified medical supervision. Maternity mortality was reduced from 1.56 per thousand in 1947 to 0.08 per thousand in 1978. Pre-natal mortality was reduced from 44.7 to 18.1 per thousand in 1978.

The health care of the Czechoslovak Socialist Republic by its content and volume follows purposefully the care of both women and children. By its character, composition and number of institutions, Czechoslovak health care provides comprehensive, free-of-charge and generally accessible preventive medical care for all children.

The struggle against infant mortality was one of the first tasks stipulated by the health administration for the care of children immediately after the war when infant mortality was considerable. Part of the struggle against infant mortality was the solution of the problem of infant food, that is, by means of dried milk products; prophylactic measures, particularly inoculation against contagious diseases; measures to prevent the development of rickets; and the health education of families. The number of infant deaths was followed up in individual districts and regions and remedial measures adopted upon a study of the causes. Obligatory autopsy of all dead infants contributed to the improvement of the care and permitted better diagnoses and preventive treatment of infants. The problems of rickets and muscular dystrophy were overcome, and the number of diarrhoeal and respiratory infectious were reduced, by the intensive care provided.

Newly born infants with a pathological condition and those with a lower-than-normal birth weight are looked after in intensive care units. Underweight children are cared for in special units within the framework of children's departments.

Infant care is generally at a high level. All infants are in the care of the district paediatrician from the first days of their lives. The paediatricians and district children's nurses follow the growth of the infant systematically, direct its development, its living environment and direct their work towards the early discovery of deviations from normal physical and mental development and the proper care of children with health problems.

Infant mortality is a very sensitive indicator of the care provided by the State for the child. Infant mortality in the Czechoslovak Socialist Republic was reduced from 73.0 per thousand in 1951 to 20.8 per thousand in 1975 and to 17.6 per thousand in 1978.

In the Czechoslovak Socialist Republic, abortion is permitted by law. A district commission dealing with the matter decides on each case; it takes into consideration such reasons as the health of the women, the difficult situation of

an unmarried mother, the disruption of a family, the age of the women, faulty contraception etc. (Act No. 68/1967, Collection of Laws).

(2) In regular preventive examinations of children of pre-school age, school age and youth, aimed at the discovery of deficiencies, modern methods of mass examination are employed. The early discovery of any physical or mental deficiency and the following up of the neurophysical development of children are of great importance to their health development. The tasks involved in the care of women and children are continually broadened and deepened with special attention focused on improving the quality of the population.

The significance of social and health care as well as the role of education is reflected in the special children's establishments, such as crèches, children's homes and nurseries. Nurseries have experienced the greatest increase: the number of places increased from 6,050 in 1948 to 85,040 in 1978. That year, 14 per cent of the children in the age group from 0 to 3 were placed in nurseries. In view of the growing population it is necessary to have space in the nurseries for 25 per cent of the children in the appropriate age group. Therefore particular attention will be given to the construction of nurseries.

The increase in the number of paediatricians is further evidence of the importance of the care of children. In 1950 there were 462; by 1978, their number had reached 4,642.

Regular and mass vaccination of children against infectious diseases resulted in a considerable reduction - and in some cases complete eradication - of the most frequent children's infectious diseases (for example, poliomyelitis). The administration of vitamins has prevented rickets, scurvy and other diseases caused by a lack of vitamins. Complete preventive medical care has resulted in a considerable reduction in both infant and child mortality generally.

Since 1972 screening methods have been used to discover latent deficiencies and diseases and this makes possible diagnosis in good time as well as the treatment and rehabilitation of retarded children.

Since 1972, all infants have been systematically tested for phenylketonuria and some other congenital deficiencies. Tests for alkaptonuria were introduced in 1976. Families with a history of congenital deficiencies receive systematic medical attention in genetics departments.

The school health service is an integral part of the care of children and is followed with special attention. During a child's attendance at school, the attention of doctors is directed towards ailments that may result from overwork in school or from the child's rate of growth. Regular examinations are, therefore, of special significance. The quality of those examinations improves each year and it can be said that they are of a high standard. The health care of school children is aimed at the protection of mental health, the observation of the school régime, educational process and its rhythm to protect the child from overwork. With higher grade students attention is given to the selection of a suitable profession, as well as to the inclusion of less able students, for whom there is a limited selection of professions, in the work or apprentice process.

In the case of children with motor or nervous system deficiencies or mentally retarded children, attention is directed towards the early discovery of the beginnings of such deficiencies. These children are then given regular treatment and rehabilitation. Daily sanatoria provide long-term rehabilitation programmes in a home-like atmosphere for such children.

An important means of work is dispensaritation, applied in the care of children in the discovery and observation of children with chronic diseases or threatened by their environment. These cases involve the complex of preventive treatment, which contributes both to the improvement of the human organism and to the removal of harmful factors influencing children in their living environment.

(3) The full concept on general and communal hygiene, adopted in 1976, aimed at studying the influence of living conditions on the health of the population; determining and applying living conditions that would protect and strengthen health and provide for the healthy development, not only of the present population, but of future generations as well; control of the implementation of the provisions and principles: in the field of healthy air, water, territory and community, soil; in the services for the population, including mass transport; in the field of the protection of the population from abnormal noise. Similarly, the subject and aim of the concept on hygiene at work and occupational diseases is the study of the influence of working conditions on the health of the working people, determining and applying measures in respect of the creation and protection of healthy working conditions and methods of work in the interests of the protection of the health of the working people. Those concepts are obligatory for the Ministry of Health and significantly influence the work of all authorities and organizations interested in the above-mentioned fields. Likewise they exercise a basic influence on the drafting of the relevant legislation.

In the framework of the draft measures on the solution and introduction of an automatic system of management of the hygiene service and introduction of computers, first experiences are obtained in that field from the epidemic and information service. The Research Institute of Medical Bionics and the Research Institute of Preventive Medicine, both in Bratislava, and selected hygiene stations are co-operating in the preparatory work that is necessary for the concept on the application of that system in the Czechoslovak Socialist Republic.

The Research Institute of Preventive Medicine (Bratislava) and the Institute of Hygiene and Epidemiology in Prague are engaged in the framework of the scientific and technological co-operation among CMEA States on research tasks concerning hygiene at work and occupational diseases, the results of which will be used in the preparation of drafts of relevant legal provisions. The Czechoslovak Socialist Republic is sharing in the solution of 28 problems in that field and is engaged in the solution of problems in respect of water hygiene and supply for all the CMEA countries. These research tasks will be finished and defended in 1980.

(4) Vaccination in the Czechoslovak Socialist Republic is considered both the most significant and the most effective means of increasing the specific resistance of the human organism and hence the reduction in the spread of infectious diseases. The vaccination programme is directed and planned, organized

and controlled by the hygiene service and implemented by the district and factory doctors and paediatricians.

Prevention of infectious diseases, including by means of vaccination, evolves from Act No. 20/1966, Collection of Laws, and Notice No. 46/1966, Collection of Laws, on measures against infectious diseases. At present, the vaccination programme is as follows:

1. Regular vaccination

(a) Against tuberculosis - basic vaccination from the fourth day to the sixth week of the life of a child and revaccination of children with a negative reaction to the tuberculin test from the first to the eighth school grade;

(b) Against diphtheria, tetanus and whooping cough - basic vaccination consisting of three doses from six weeks to six months and revaccination at three years of age and at the first school grade; at the third school grade (except against whooping cough); and at the eighth school grade against tetanus only; repeated every 10 years;

(c) Against children's poliomyelitis - basic vaccination of children from 2 to 14 months, revaccination from 15 to 26 months;

(d) Against measles - for children over 12 months; revaccination at the first school grade;

2. Special vaccination - for groups of persons who, because of their professions, are exposed to the risk of tetanus;

3. Special vaccination - against influenza for persons suffering chronic diseases of the heart and blood-vessels, the respiratory tract etc. and for persons in professions necessary to the national economy; against tetanus for the rest of the non-immune population.

4. Vaccination of persons travelling abroad - according to international health provisions;

5. Vaccination of injured or bitten persons against tetanus and hydrophobia.

Results of vaccination are controlled annually in such a way that a blood sample is taken from all age groups, statistically representing the population, which is tested for the presence of substances resistant to the diseases against which vaccination has been carried out. Thus objective data are obtained showing the results of the vaccination directly on the immunity of a given group and an immediate indication of any change in the immunity situation of that group. Such facts may lead to a change of vaccination plan, quality of vaccination dose etc. with the aim of further improving the situation. This system can be used also for the consideration of the introduction of further vaccinations, determination of the optimum vaccination age, vaccination plan etc.

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In the struggle against infectious diseases, a virological programme has been worked out, the application of which is regularly controlled and its tasks secured.

At present, attention is being devoted to permanent improvement of the diagnosis of infectious inflammation of liver, the discovery of the bearers of that disease, the contacts and the introduction of one-purpose remedies, sterilization of the central type etc., all this being of key importance for the prevention of hepatitis.

In the Czechoslovak Socialist Republic, sanctions are applied in the system of the creation and protection of healthy living conditions when legal provisions are violated (fines; possibly other punishment).

(5) Unified and free health care in the Czechoslovak Socialist Republic serves all age groups and other categories of the population without exception, including those in the rural regions.

The network of health care establishments in particular consists of:

Hospitals, including maternity hospitals;

Special treatment institutes;

Spas;

Scientific research and development institutes;

Infants' institutes, children's homes and nurseries;

Out-patient medical prevention care, both district and at enterprises;

Common examination and treatment units of hospitals and polyclinics, district and enterprise polyclinics, including transfusion departments;

Ambulance services;

Hygiene service establishments - regional and district hygiene stations and other units.

(6) See data in the above sections.
