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Reports on economic, social and cultural rights, for the period
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AFGHANISTAN

/20 June 1974/

By Decrees 1, 2, and 3, dated 28 July 1973, the Republic of Afghanistan, proclaimed in the country on 17 July 1973, maintained provisions of the 1964 Constitution of Afghanistan which relate to economic, social and cultural rights.

Ever since the Republican Régime has been established, the Afghan Government has devoted special attention to the improvement and further extension of economic, social and cultural rights for the people of Afghanistan.

During the period in question, the following legislative measures were taken, aimed at ensuring economic, social and cultural rights of the people.

1. The regulation of 27 June 1973 provided for a minimum labour wage. This minimum wage though only about \$US 15 per month, is above the estimated per capita income. Furthermore, an amendment to the 1971 Labour Law, dated 7 October 1971, limited the minimum daily working hours in industrial enterprises to 8 hours in winter and 9 hours in summer.

2. The law regulating pasture lands of 4 March 1971 has contributed to the protection of the environment and has provided means of employment for those who depend for their living on livestock earnings. This law provides that pastures cannot be sold or transferred or put under cultivation. This law in addition protects forests which have both scenic and commercial value.

3. The Civil Servants Law and Contract Employees Law of 10 March 1971 provided for equitable working conditions, the right to promotion, security, reasonable working hours and holidays, as well as fair compensation within the limits of financial resources of the Government.

4. A new marriage law of 8 August 1971 further strengthens and protects the family relationship within the framework of Islamic Law. This requires the consent of the bride to a marriage contract and provides procedural safeguards for her rights. It also prohibits the receipt of money or other valuables by the relatives of the bride for their consent to marriage.

5. The law for organizing the affairs of defence attorneys of 21 March 1972, and the law for the prosecution and punishment of bribery, 6 March 1973 generally help to guarantee and protect the human rights provided by law, by improving and facilitating the law enforcement process in an equitable and just manner.

BULGARIA

/21 May 1974/

During the period 1 July 1969 to 30 June 1973, there were passed a number of laws and other normative acts in the People's Republic of Bulgaria which represent a further development of our socialist humanitarian law and are an expression of the importance laid by the State on granting and executing the real rights and freedom of Bulgarian citizens in the economic, social and cultural field.

During the aforementioned period (more precisely in 1971) the National Assembly approved a new Constitution of the People's Republic of Bulgaria. The Constitution states the basic principles concerning the economic, social and cultural rights of the citizens as follows:

"Article 35 (1) All citizens of the People's Republic of Bulgaria are equal before the law.

"(2) There are not accepted any privileges or limitations in rights based on nationality, origin, religion, sex, race, education, social or financial status.

"(3) The State guarantees the equality of the citizens by creating conditions and opportunities for exercising their rights and for performing their duties.

"(4) All preaching of hatred or humiliation of man on account of race, nationality or religion is forbidden and punished.

"Article 36. Men and women in the People's Republic of Bulgaria have equal rights.

"Article 37. Mothers enjoy special protection and care on the part of the State, the economic and social organizations by being guaranteed leave before and after delivery and having their remuneration maintained, by obstetric and medical care free of charge, maternity hospitals, facilitation of their work, expansion of the system of nurseries and of the enterprises for public and everyday utilities and for public catering.

"Article 38 (1) Marriage and the family are under the protection of the State.

"(2) Civil marriage is the only legal marriage.

"(3) Husband and wife have equal rights and obligations in marriage and the family. Parents have the right and the obligation to take care of the rearing of their children and for their communist upbringing.

"(4) Children born out of wedlock have the same rights as legitimate children.

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"Article 39 (1) The upbringing of youth in the spirit of communism is a duty of the whole of society.

"(2) The family, the schools, the State authorities and public organizations are taking care of the intellectual, moral, aesthetic, cultural and physical development of youth, its labour education and polytechnical education.

"(3) Youth enjoys special protection.

"Article 40 (1) Citizens have the right to labour.

"(2) Every citizen has the right to free choice of his profession.

"(3) The State guarantees the right to labour, by developing the socialist, social and economic system.

"Article 41 (1) Labour is remunerated according to its amount and quality.

"(2) Working people have the right to safe and healthful working conditions, which are guaranteed through the implementation of the achievements of science and technology.

"Article 42 (1) Citizens have the right to rest.

"(2) This right is provided through shortening working hours without diminishing remuneration or violating other labour rights, through paid yearly leaves and through a broad system of rest homes, clubs, public libraries, cultural clubs and other facilities for leisure and learning.

"Article 43 (1) Citizens have the right to insurance, pensions and aid in the case of disablement, illness, accident, maternity, disability, old age or death and in the case of child upbringing as well as the right to aid in cases established by law.

"(2) This right is executed through united social insurance and the allotment of the necessary funds from national income for financing insurance.

"(3) The insured participate in the management of social insurance.

"Article 44. The under-aged, the disabled and old people who have no relatives or have been left without the care of their relatives, enjoy the special protection of the State and of society.

"Article 45 (1) Citizens have the right to education, free of charge, in all kinds and levels of educational institutions in cases determined by law.

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"(2) Schools are run by the State.

"(3) Education is based on the achievements of modern science and Marxist-Leninist ideology.

"(4) Elementary education is compulsory.

"(5) The State creates conditions for the accomplishment of general secondary education.

"(6) The State encourages education, improves the general conditions for the functioning of educational institutions, grants scholarships and encourages students who have shown particular talent.

"(7) Citizens of non-Bulgarian origin, apart from the compulsory study of the Bulgarian language, have the right to study their own language, too.

"Article 46 (1) Creative work in the fields of science, arts and culture serves the people and develops in a communist spirit.

"(2) The State pays particular attention to the development of science, arts and culture by creating higher institutes, research institutions, publishing houses, libraries, museums, art galleries, theatres, cinemas, radio and television.

"Article 47 (1) The State pays extreme attention to the health of the people by organizing medical and prophylactic service and institutions.

"(2) The State and public organizations disseminate medical instruction among the people and encourage the development of physical culture and tourism.

"(3) Every citizen has the right to free medical treatment.

"(4) The State and public organizations pay particular attention to the health of children and teenagers.

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"Article 52 (1) Citizens may set up organizations with political, professional, cultural, artistic, scientific, religious, sport and other non-economic aims.

"(2) Citizens may unite for joint economic activity in co-operatives.

"(3) Organizations which are directed against socialist order in the People's Republic of Bulgaria and against the rights of the people, preach fascist or any other anti-democratic ideology, are forbidden.

"(4) Public organizations and co-operatives may create unions or other amalgamations."

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From the texts indicated above it is obvious that all citizens are equal before the law. There are not provided any limitations in the rights and the enjoyment of privileges. There are formulated in the Constitution the rights to labour, rest, official leave, shorter working hours, insurance, pensions and aid in cases of disablement, disease, accident, maternity, disability, old age or death and child rearing. Citizens have the right to free education in all types and levels of educational institutions. Mothers enjoy particular protection and attention on behalf of the State, economic and public organizations, through the guarantee of official leave before and after delivery with the preservation of their remuneration, free obstetrical and medical treatment, maternity homes, facilitation of their work, expansion of the system of nurseries, etc.

Every citizen has the right to free medical treatment.

These main principles were elaborated in detail in many laws and sublaw acts. Thus, according to Decree No. 7 of the Council of Ministers and the Central Council of the Bulgarian Trade Unions of 13 March 1973, there were introduced shortened working hours and a five-day working-week - in consideration of the preparedness of the enterprises, branches and organizations - in 1973 in 13 districts and in 1974 in another 13 districts, with a view to the transition to a shorter working-week of the entire country in 1975.

With the law for the amendment to the Labour Code published in the State Gazette, No. 53/1973, there were given the following new rights to mothers in order to bring up their small children:

(a) Additional official leave according to the will of the mother, including adoptive mothers, for looking after small children who have not been placed in public nurseries or any other child institution, which is as follows: for the first child - 6 months; for the second child - 7 months; for the third child - 8 months and 6 months for every additional child. During that time the mother is given a minimum wage of 80 levas every month from the funds of the State Social Insurance;

(b) In compliance with article 61 of the Labour Code the mother has the right to unpaid leave in order to be able to look after her small child up to the age of three, and this is regarded as labour service.

With the law of 1973 for granting control to the Bulgarian Trade Unions over the protection of labour and with Decree No. 15 of the Council of Ministers and the Central Council of Bulgarian Trade Unions for further improvement of labour protection, complete control over labour protection was granted to the Bulgarian Trade Unions.

In 1973, with the amendment to the Labour Code and the Decree for the encouragement of the birth-rate, there were included some new acquisitions in the field of social insurance, which are as follows:

(a) There was an increase in the size of financial compensation for

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temporary disablement on account of general illness in cases of minimum labour service (from three months to three years) from 60 per cent to 70 per cent of the remuneration;

(b) There was established a paid leave for looking after a small child of 6, 7 and 8 months respectively for the first, second and third child. This leave begins immediately after the paid leave for pregnancy and delivery (maternity). During leave for looking after a small child, the mother is paid a compensation amounting to the minimum salary (80 levas);

(c) There was an increase in the paid leave for looking after a sick child up to age of 16 from 30 to 60 days in one calendar year. The financial compensation in cases of sick child care up to the age of seven was increased to 100 per cent of the remuneration;

(d) For lone mothers with a child up to the age of two there was established special protection - payment of a monthly aid amounting to the minimum salary when the mother does not work or is on an unpaid leave to look after her child.

When the mother is working there is also granted aid by social insurance which amounts to one half the minimum salary.

The acquisitions mentioned above are also valid for workers in the co-operative farms who have been insured under the short-term special regulation for social insurance of the co-operative farmers.

With Order No. 510 of the Bureau of the Council of Ministers of 3 November 1970 concerning payment, additional remunerations and some privileges of the workers in the branch of construction; these workers are granted a priority for a residence permit, housing, etc.

Order 261 of the Bureau of the Council of Ministers of 3 July 1972 for the guarantee of the implementation of the programmes for house-building and for the construction of nurseries and kindergartens during the sixth five-year plan and the improvement of the supply of the population with lodgings, obligates State authorities and the people's councils to allot 50 per cent of the new State homes to young families and to workers directly engaged in the production of material goods.

With Order No. 41 of 13 August 1973 for the approval of regulations for crediting house-building, the right of a short-term loan is given to mothers with two children up to the age of 26, etc.

Decree No. 26 of the Council of Ministers of 2 November 1970 gives the right to enterprises to build and sell to their workers flats by instalments with the fund "Undertakings in the field of social and cultural life" and the funds of the workers and the employees.

Order No. 385 of 24 July 1971 obliges the Executive Committee of the People's Council of the City of Sofia and the regional people's councils on the territory

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of the capital in which there are situated scientific organizations and higher educational institutions; to grant priority to suitable areas for departmental housing and hostels for post-graduate students and scientific workers.

Order No. 130 of the Bureau of the Council of Ministers of 20 June 1973 determines the use of working clothes and uniforms by workers and employees.

In 1971 there were accepted sanitary norms for admissible production noise and vibrations on the premises of the production enterprise, the laboratories, working places with a high mental concentration, etc. These norms are obligatory for all citizens.

During the same year there were accepted standards for physical strain of the workers and the hygienic and physiological as well as the ergonomic requirements for a rational organization of the working place and the labour processes.

In 1971 the list of the professions which have the right to additional leave on account of harmful conditions was enlarged.

Due to this the workers from the field of production of synthetic rubber, synthetic fibres, plastics, etc. receive an additional leave of four to 10 days.

During the same year there were approved new standards of the limits of concentration of harmful substances in the air of the working environment (this is with regard to the 284 norms of toxic substances), as well as standards for temperatures, relative humidity and the speed of the movement of air in the working places.

In 1972 there were approved sanitary and hygienic standards for work in conditions of radio-active radiation and in 1973 the list of harmful products, in the manufacture of which it is prohibited to accept young people under 18, was enlarged.

The Council of Ministers passed an Order for the protection of environment in 1973.

According to a decision of the Council of Ministers of 1973, miners and workers on night shifts are granted tea and coffee free of charge.

The Decree for the manufacture of harmful products was amended in 1973 especially for products in the manufacture of which female labour is prohibited.

In a Decree of the Council of Ministers of 1974 for preventive undertakings and privileges for those working in conditions of radio-active radiation, there are provided a 5-6 hour working day, free food, additional leave, etc.

Order No. 271 of the Committee for Economic Co-ordination of 15 July 1969, determines the condition of the technical parameters of labour environment and the economic results from that.

In Decree No. 15 of the Council of Ministers and the Central Council of Bulgarian Trade Unions of 12 May 1973, measures are taken for further improvement of labour protection.

Together with this, the Council of Ministers of the People's Republic of Bulgaria and the Central Council of Bulgarian Trade Unions approved a number of normative acts for further improvement of the material well-being of working people in the country. In 1973 there was determined a minimum salary amounting to 80 levas. The salaries of underground workers were increased by 26 per cent, of the teaching staff in higher and college institutions and of the scientific workers at the academies by 22.5 per cent. The salaries of those working in the State co-operative farms and in the field of trade, and of some categories of workers from transport and communications were increased as well.
