

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1155/Add.10
31 July 1974
ENGLISH
ORIGINAL: ENGLISH/ARABIC

COMMISSION ON HUMAN RIGHTS
Thirty-first session

PERIODIC REPORTS ON HUMAN RIGHTS

Reports on economic, social and cultural rights, for the period
1 July 1969-30 June 1973, received from Governments under
Economic and Social Council resolution 1074 C (XXXIX)

CONTENTS

	<u>Page</u>
Czechoslovakia	2
Egypt	18
Iraq	27
Syrian Arab Republic	45

CZECHOSLOVAKIA

/Original: English/

/16 July 1974/

In the period from 1 July 1969 to 30 June 1973, the development of national economy made it possible to secure the implementation of social, cultural and economic rights to such an extent that it was possible to adopt further legal measures which in a yet better manner ensure the economic, social and cultural rights. These measures proceed in the first place from the Constitution of the Czechoslovak Socialist Republic, particularly from article 15:

"1. The State shall carry out an economic, health, social and cultural policy enabling the physical and mental capabilities of all the people to develop continuously together with the growth of production, the rise in the living standard, and the gradual reduction of working hours.

"2. The State shall make provision for the conservation of nature and the preservation of the beauties of the country so as to create an increasingly rich source of benefit to the people and suitable surroundings for the working people with a view to their health and their right to recreation."

Further, article 16, paragraph 2, states:

"The State, together with the people's organizations, shall give all possible support to creative activity in science and art, shall endeavour to achieve an increasingly high educational level of the working people and their active participation in scientific and artistic work, and shall see to it that the results of this work serve all the people."

A number of new legal regulations in this field has been adopted in the period referred to. The novelization was enabled by the growth of the national income which was used not only for the expansion of industrial production, for the construction of facilities of non-productional sphere, but also for the direct securing and increasing of the living standard and personal consumption of the citizens of the Czechoslovak Socialist Republic.

The attention of the Czechoslovak state organs in the field of economic, social and cultural rights was directed especially at:

- arrangements in respect of the release, placement and material security for workers in connexion with the implementation of rationalization and organizational measures;
- the directing of the wage development and at the principles of remuneration for work;
- the increase of the lowest pensions;

/...

- the increase of pensions paid under the old-type scheme;
- the provision of loans to young married couples with state contribution;
- the novelization of regulations on the artificial interruption of pregnancy;
- the protective measures in the fight against infectious diseases;
- the compulsory regular vaccination against measles and at the extraordinary vaccination against tetanus;
- the support of families with more children and at the creation of better economic conditions in the first period following the birth of child;
- the adoption of new regulation regarding foster care;
- the regulation of copyright;
- the protection of historical monuments and nature.

On 7 October 1968, the Czechoslovak Socialist Republic signed the International Covenant on Economic, Social and Cultural Rights. The Czechoslovak legal order not only ensures the realization of its provisions, but in many respects, particularly in the field of the right to work, social security and education, the provisions of the Covenant are surpassed.

A. The right to work

The right to work and related rights are protected in Czechoslovakia by the Constitution and operational regulation. The right to work belongs to the fundamental rights. In the period in question, the following legal arrangements for the purpose of securing better the right to work have been carried out:

I. Notice No. 86/1967, Collection of Laws, as amended by notice No. 132/1968, C.O.L., was replaced by Notice No. 74/1970, C.O.L., which regulates the release, placement and material security of working persons in connexion with the implementation of rationalizational and organizational measures. This notice, like the previous regulations, regulates the release and placement of workers in connexion with the implementation of structural changes in national economy, with the liquidation of ineffective plants, with the reduction of the administrative and directing personnel and with other rationalizational or organizational measures, as well as in connexion with the application of prohibition of certain occupations and working places for women, material security of these people pending and subsequent to their new employment and their rights in the field of health insurance and social security (section 1, para. 1 of the notice). The notice applies to:

- (a) Workers released for organizational reasons and to working women released

/...

in connexion with the prohibition of certain occupations and working places for women, both on the basis of notice given by a socialist organization or on the basis of an agreement.

(b) Members of production co-operatives released on the basis of notice given by the production co-operative or on the basis of an agreement, according to the statutes of the co-operative, for reasons corresponding to the reason for the ending of employment relation under letter a/... (section 1, para. 2 of the notice).

If in spite of the assistance of the releasing organization or national committee, the worker cannot enter into a suitable employment adequate to his health condition or his capability and also to his qualification immediately after he has finished the existing employment relation, he is entitled, if conditions laid down in the notice are fulfilled, to an allowance prior to the entry into new employment. The allowance amounts to 60 per cent of his average monthly earnings received in the organization which released him and this allowance is paid until his entry into new employment, but for a maximum period of six months.

The released worker who, having finished the employment relation, enters without unnecessary delay into employment in another organization, is entitled to receive from the releasing organization the balance corresponding to the difference between the average gross earning in the original place of work and the gross earning he is receiving at the new place of work, for a period of three months subsequent to the entry into new employment.

With regard to the fact that in the Czechoslovak Socialist Republic unemployment is non-existent, the provision of the allowance pending the entry into new employment takes place in exceptional cases. The average period for which the allowance is being provided is about one and a half months.

II. Good living conditions for those who work and their families is secured not only through the wage, but also by the adjustment of tax on wage, allowances for children, support in maternity, amount of the rent, stability of prices, especially as regards the basic food-stuffs and articles, etc.

Notice No. 158/1970, Collection of Laws, on the direction of wage development and on principles of remuneration for work, which came into force on 1 January 1971, replaced notice No. 174/1969, Collection of Laws. This notice cancelled the regulation provided for by notice No. 101/1966, Collection of Laws, on the remuneration for work in the new system of the planned management of the national economy. Notice No. 158/1970, Collection of Laws, in its part III regulates the rewarding of workers in the employment relation.

III. Act No. 74/1973, Collection of Laws, which changes Act No. 68/1951, Collection of Laws, on voluntary organizations and assemblies, laid down that provisions of sections 1-5 of the Act No. 68/1971, Collection of Laws do not apply to trade union organizations. Sections 1-5 of this Act laid down principles of the activities of voluntary organizations and laid down conditions under which voluntary organization can be established.

B. The right to social security

In the period from 1 January to 30 June 1973, the following new regulations were issued in the field of social security:

- Act No. 71/1970, Collection of Laws, on the adjustment of certain low pensions and on other changes in social security;
- Act No. 106/1971, Collection of Laws, on the increase of pensions paid under old-type scheme and certain other low pensions in the social security.

These acts change Act No. 101/1964, Collection of Laws, on social security and Act No. 103/1964, Collection of Laws, on social security of co-operative farmers. The Act provides for the increase of the old-age pension if this pension is the only income of the pensioner or, also if the pensioner's family member is dependent on this pension.

The pension can be increased only if the pensioner (family member) for reasons of age, health condition or any other reasons, is unable to to increase his living standard by his own work (section 18, paras. 5 and 6 of Act. No. 101/1964, Collection of Laws).

In the same way invalidity pensions can be increased (section 28, para. 4 of the quoted Act), as well as widow pensions (section 31, para. 6 of the quoted Act), and orphan's pensions (section 34, para. 4 of the mentioned Act).

The social pension, too, can now be increased and similar adjustments were carried out also as regards the pensions of co-operative farmers and individual farmers and other self-employed persons. The pensions paid under the old-type scheme, i.e. pensions that were approved before 1 January 1957, were increased from 1 October 1970 according to the type of pension, and widows' pensions by 60 per cent of the respective pension monthly. (See Act No. 106/1970, Collection of Laws.)

Under Act No. 71/1970, Collection of Laws, and under Act No. 106/1971, Collection of Laws, the adjustment was made in case of 900,000 pensions, which resulted in the increase of annual expenditures for pensions security by about 900 million Czechoslovak crowns.

The Decree of the Government of the Czechoslovak Socialist Republic No. 2/1971, Collection of Laws, cancelled government decree No. 73/1969, Collection of Laws, and regulates in a new manner the exceptional provision of pensions to certain working pensioners.

The worker who is employed after the date on which he became entitled to the old-age pension is given the old-age pension in unchanged height, if his earning does not amount to more than 800 crowns monthly, or in certain professions, to 1,000 crowns a month.

However, also in cases where the pension would not be paid if the above

/...

provision were applied, the employed pensioner is paid an unchanged pension if he is temporarily employed in campaign, seasonal, peak, relief or emergency works and has not worked for more than 180 working days (120 working days in case of administrative work) a year.

Pensions in 1969 and in 1972

<u>Year</u>	<u>Number of pensions</u>	<u>Index</u>	<u>Expenditures in millions</u>	<u>Index</u>
1969	3,158,000	100	23,072	100
1972	3,458,000	109.5	28,445	123.3

C. The right to an adequate standard of living

This is the right which is closely connected with the right to work, to a just remuneration for work, to the standard of social security. In the period under consideration, no legislative changes were made directly in the field of the right to adequate food and clothing; the securing of these rights in the Czechoslovak Socialist Republic results from the whole standard of living of the population.

In the field of the right to necessary social services no changes have taken place, but parts of sections D and E of this report apply also to this item.

The improvement of living conditions is facilitated among other things also by the loans with State contribution provided to young married couples under the legal regulation of the presidium of the Federal Assembly No. 14/1973, Collection of Laws. These loans, of up to 30,000 crowns, are provided to married couples under the age of 30 years, if the total of their monthly incomes from the employment or similar relation does not exceed 5,000 crowns:

(a) For the payment of the membership share in the housing co-operative or for the payment of expenditures connected with the construction or purchase of a family house;

(b) For the purchase of flat equipment.

The annual interest rate is in case (a) 1 per cent and (b) 2.5 per cent. The repayment period is 10 years at maximum. State contribution is provided for the repayment of the loan to young married couples who bring forth a child. In case of the first child the State contribution is 2,000 crowns, and 4,000 crowns in case of the second and every further child. The loans are provided also to young citizens under the age of 30 years who are not married, if they support directly at least one child of their own or an adopted child, who had not reached the age of three on 1 April 1973.

In the field of protection and improvement of human environment, notice No. 35/1972, Collection of Laws, and notice No. 11/1973, Collection of

/...

Laws, of the Ministry of Forestry and Water Economy of the Slovak Socialist Republic and the Czech Socialist Republic, on the protection of waters against pollution with heating substances, were published in the period under review.

D. The right to the enjoyment of the highest attainable standard of physical and mental health

All citizens of the Czechoslovak Socialist Republic are guaranteed medical care free of charge. The fundamental legislative measures ensuring the citizens' right to health is represented by Act No. 20/1966, Collection of Laws, on care of the health of the people and by Notices issued in 1966 for the purpose of its implementation. According to the study made by the legislative organs, these regulations in principle satisfy the needs. In spite of this, however, they were in certain partial questions changed or amended during the period under review.

I. The need for increased care for the protection of women's health and society's interest in an improvement of the development in the field of births gave rise to new operational regulations on artificial interruption of pregnancy. The new regulation implemented through notice no. 71/1973, Collection of Laws, of the Ministry of Health of the Czech Socialist Republic, the methodical measure No. 20/1973, Journal of the Ministry of Health of the Czech Socialist Republic, and notice No. 72/1973, Collection of Laws, of the Ministry of Health of the Slovak Socialist Republic, determine conditions for the permission of interruption and secure a unified approach on the part of interruption commissions in deciding on artificial interruption.

II. New principles were adopted for the evaluation and direction of the exposure of workers and other citizens to ionizing radiation, laid down in notice No. 59/1972, Collection of Laws, of the Ministry of Health of the Czech Socialist Republic and notice No. 65/1972, Collection of Laws, of the Slovak Socialist Republic, which also regulate the protective measures against this radiation and, particularly, made stricter the duties of organizations and workers.

III. Newly regulated were also certain protective measures against infectious diseases, particularly vaccination and the lists of infectious diseases, which must be reported and filed, were made stricter (notice No. 17/1973, Collection of Laws, of the Ministry of Health of the Czech Socialist Republic and notice No. 21/1973, Collection of Laws, of the Ministry of Health of the Slovak Socialist Republic).

In order to intensify the fight against infectious diseases, compulsory regular vaccination against measles was introduced in 1969. (The order of the Chief Hygienic Officer of the Czech Socialist Republic registered in instalment No. 36/1969 of the Collection of Laws, and the order of the Chief Hygienic Officer of the Slovak Socialist Republic registered in instalment No. 40/1969 of the Collection of Laws.)

/...

An important measure in the fight against infectious diseases is the special vaccination against tetanus, now being implemented under the decree No. 21/1973, Journal of the Ministry of Health of the Czech Socialist Republic and of the Chief Hygienic Officer of the Czechoslovak Socialist Republic, and under the decree No. 1/1973, Journal of the Ministry of Health of the Slovak Socialist Republic, of the Ministry of Health of the Slovak Socialist Republic and of the Chief Hygienic Officer of the Slovak Socialist Republic.

IV. In order to bring the provision of the health services to the level of contemporary experience of the medical and pharmaceutical sciences, the training and further education of the health service personnel have also been newly regulated by law (notice No. 72/1971, Collection of Laws, of the Ministry of Health of the Czech Socialist Republic and notice No. 77/1971, Collection of Laws, of the Slovak Socialist Republic).

E. The right of the family, motherhood and childhood to protection and assistance

The family, the mother and the child enjoy in the Czechoslovak Socialist Republic the widest possible protection. Article 26 of the Constitution of the Czechoslovak Socialist Republic states:

- (1) Motherhood, marriage and the family shall be protected by the State.
- (2) The State and society shall ensure that the family provides a sound foundation for the development of young people. Large families shall be granted special relief and assistance by the State.
- (3) Society shall ensure to all children and youth every opportunity for physical and mental development. This development shall be secured through the care provided by the family, the State and the people's organizations and by the special adjustment of working conditions for young people.

Article 27 also ensures this right: "The equal status of women in the family, at work and in public life shall be secured by special adjustment of working conditions and special health care during pregnancy and maternity, as well as by the development of facilities and services which will enable women fully to participate in the life of the society."

In the period under review, the following changes and new legal regulations have taken place in the field:

I. Act No. 154/1969, Collection of Laws, introduced, from 1 July 1970, the provision of the maternity grant. This Act has been replaced, with effect from 1 October 1971, by Act No. 107/1971, Collection of Laws, on the maternity grant. The maternity grant belongs to the measures that are to enable a woman, on her own decision, to care for her child for a longer period instead of being engaged in her employment or any other working activity, if she thinks it necessary.

/...

At the present, time the maternity grant is being paid to all women, irrespective of whether or not they were employed before the delivery of a child, if they decide to take general and proper care of the child of under two while at the same time caring for another child or children of an age prior to finishing compulsory school attendance, or until the age of 26, if the child is invalid and requires constant care.

The maternity grant is also paid to women who properly care for only one child of under two years, if the woman is unmarried, widowed, divorced or for any other serious reasons alone, or does not live with a male companion; the child is invalid and requires constant care; it is a child whom the woman has taken into permanent care replacing the mother's care.

In these cases, however, a certain term of engagement in working activity before the delivery is required. The maternity grant is paid only in the case of a woman who in the time of caring for a child of under two years has no income from a working activity or who does not receive any allowances from the health insurance scheme making up for the wage.

The maternity grant in case of one child of under two years is 500 crowns a month, in case of two children of under two years 800 crowns. If there are three or more children it is 1,200 crowns a month.

Maternity grant

<u>Year</u>	<u>Number of women paid the maternity grant</u>	<u>Expenditure in millions of crowns</u>
1971 (30 June 1971)	47,000	317
1972 (30 June 1972)	172,000	1,064
1973 (30 June 1973)	190,000	1,250

II. Act No. 98/1971, Collection of Laws, provides for the increase, under regulations of social security, of the support on the birth of child from the amount of 1,000 crowns to 2,000 crowns for each child born, with effect from 1 October 1971.

Children allowances and allowance for the upbringing of a child (which is paid on each child to persons entitled to old-age, invalidity, social pension and personal income) were, under Act No. 99/1972, Collection of Laws, on the increase of children and upbringing allowances, and under Notice No. 100/1972, Collection of Laws, on the increase of children and upbringing allowances provided to private farmers and other self-employed persons, increased with effect from 1 January 1973.

At the present time, the children allowance in case of one child is 90 crowns, in case of two children 430 crowns, three children 880 crowns, four

/...

children 1,280 crowns and it is increased by 240 crowns a month in case of each further child.

III. Further regulations on foster care were published: Act No. 50/1973, Collection of Laws, on foster care; Notice No. 51/1973, Collection of Laws, on persons providing foster care in special establishments; Notice No. 52/1973, Collection of Laws, on the operation of certain provisions of the Act on foster care in the Czech Socialist Republic; Notice No. 53/1973, Collection of Laws, on the operation of certain provisions of the Act on foster care in the Slovak Socialist Republic.

The bringing up of children into good citizens of the socialist State is in the first place the duty of parents. In cases when the upbringing of children is not secured by the parents, the competent organs can take necessary measures under Act No. 94/1963, Collection of Laws, on family, and if the child's upbringing cannot be secured by adoption, or his upbringing in an institute is unsuitable, the regulations will allow putting the child into the foster care.

The child whose upbringing is not secured by his parents for reasons that will be of a long-term character, can be given into the foster care of another citizen (foster parent) or into a joint foster care of spouses. The foster care begins by the decision of a court and ends upon the child's reaching his full age, by death of the child or the foster parent and, in case of joint foster care, also upon the divorce of the foster parents. The court may cancel the foster care only when serious reasons are found; the court shall do so always when the cancellation is requested by the foster parent.

Only such a citizen can become a foster parent who has personal prerequisites, particularly as to morals and health, for ensuring the good upbringing of a child and who by his way of life and that of his family, in which the child will be brought up, guarantees that the foster care shall be carried out to the benefit of the child and in conformity with the interests of socialist society.

It is the duty of the foster parent to care for the child personally. In the upbringing of the child, the foster parent has the rights and duties of parents; but such a foster parent has the right to represent the child and to manage his affairs only in ordinary matters.

The child in foster care is entitled to an allowance to cover its needs for the whole period, until he finishes compulsory school attendance, and in some cases until the age of 25 years. The allowance is 500 crowns or, if the child is over 10 years old, 600 crowns a month. The foster parent is entitled for the performance of foster care to a reward of 200 crowns a month for each child under care. In addition, children allowances are paid on children in foster care.

IV. The Government Decree No. 59/1964, Collection of Laws, on the tasks of national committees in the care for children, was changed by Decree No. 99/1971, Collection of Laws, under which the district national committees provide to children who do not receive due care, especially on the part of persons who have maintenance

/...

obligations toward them, or on the part of facilities of collective upbringing, and who do not have their own adequate income or property, an allowance up to the amount of 400 crowns a month or, if the child is over 10 years, up to the amount of 500 crowns a month. Under previous arrangements the highest allowance was 300 crowns a month.

V. Regulations on artificial interruption of pregnancy, as mentioned in section D, were amended in a new manner, too.

F. The right to education

Under article 24 of the Constitution of the Czechoslovak Socialist Republic the citizens have the right to education. This right is secured by compulsory free basic education for all children up to the age of 15 years, and by the system of free education which shall to an increasing extent provide complete secondary education - general or specialized - and university-level education. The mother tongue is the language of education.

I. The constitutional right of the citizens to education is secured by further laws and operational regulations, among which belong:

(a) Act No. 186/1960, Collection of Laws, on the system of education (The Education Act). Under this Act, the youth from 6 to 15 years of age are provided free basic school education. The youth over 15 years of age is provided secondary and higher education at various types of schools, and the youth with complete secondary education is provided a university-level education. Personal and material expenses connected with the operation of schools are covered by the State. Textbooks and teaching aids are also free for pupils of elementary and secondary schools. The secondary and university education can be obtained also by citizens during their employment in the form of evening, correspondence and external courses. These citizens enjoy vast working benefits, especially paid leave. This economic security and working benefits are granted on the basis of the general regulation issued in a form of Notice No. 140/1968, Collection of Laws. Besides this, the organization (employer) must care for the qualification of the workers. This obligation is embodied in the provision of the Labour Code (Act No. 65/1965, Collection of Laws).

In conformity with the humanism of socialist society, the youth mentally, sensually or physically handicapped, the youth presenting difficulties in their education and the youth placed in medical institutes and sanatoriums, are entitled to receive even secondary education and professional preparation through special means and methods that are adequate to such young people.

(b) Act No. 69/1958, Collection of Laws, concerning the training of adolescents for professions in apprenticeship (Apprenticeship Act). Under this Act, the youth in apprenticeship are provided with free vocational and general education in apprentice schools, centres and training institutions. Financial and material security of apprentices is regulated by Notice No. 124/1967, Collection of Laws, and Notice No. 67/1969, Collection of Laws.

/...

(c) Act No. 19/1966, Collection of Laws, on universities.. The study at universities is made in the form of international study or in the form of study during employment (evening, correspondence, external courses). Material and personal costs for the operation of schools are covered by the State. The students of secondary schools and students of universities are entitled to cheap accommodation and meals in students' hostels, to reduced fares in the means of public transport, as well as to proficiency and social scholarships.

II. The right to equal access to higher education on the basis of abilities or merits, including technical, vocational and professional education, is embodied in article 20 of the Constitution, which provides that all citizens have equal rights and equal duties. Article 24 contains provision that all citizens have the right to education. Paragraph 2 of this article lays down that this right is secured through a system of free schools. Similar provision is contained in section 1, paragraph 1 of the Education Act Section 7, which states: "The socialist society shall secure secondary and higher education and preparation for work and further education for the youth over 15 years of age ...". Paragraph 3 of the same section states: "... into these schools, students are admitted according to their abilities and interests ...". The Act on Universities (No. 19/1960, Collection of Laws) in section 9, paragraph 1, states: "The candidates for the university study are admitted with regard to their individual abilities and interests". Under Notice No. 28/1969, Collection of Laws, the universities accept the most able candidates for the appropriate field of study on the basis of results achieved in their previous study and on the basis of the result of entrance examinations. Legal regulations and practice do not recognize any discrimination in the enrolment of students to secondary schools and universities.

III. The fundamental legal norm containing the right of parents to choose the type of education for their children is Act No. 94/1966, Collection of Laws, concerning the family, which regulates the relations between parents and children. The Family Act in its section 30 contains a provision which states: "the education of children is secured by parents, State and public organizations in inseparable unity ...". The further provisions then lay down that the parents direct the conduct of their children and have the decisive role in their education. From section 36 of the Act, dealing with the representation, it can be deduced that in cases where the child is not able to assume rights and duties through his/her own legal actions, the child will be represented by his parents. This will apply to such concrete cases as the conclusion of employment or apprenticeship contracts of an adolescent, who is under 15 years of age and has not finished his/her compulsory school attendance. "For the conclusion of an employment contract or a contract of apprenticeship, as well as for a change of the subject of the apprenticeship, the organization shall be bound to obtain the opinion of the juvenile employee's legal representative". (Section 164 of Act No. 65/1965, Collection of Laws, The Labour Code.) In most cases it will be their parents if they are able to manage legal matters to the full extent.

As says the commentary of section 133 on family, also the right to determine the manner of training and preparation for a child's profession belongs in the child's right to education. This right is connected also with the duty of parents to represent their juvenile child.

G. The right to participate freely in cultural life

Democratization of culture, enabling access to it by the masses and active participation in cultural and artistic life, is a principle embodied in the Constitution of the Czechoslovak Socialist Republic. The cultural development of each citizen of our State is a part of the development of the personality of the socialist man.

Therefore, the organization and the network of cultural facilities is made in such a way as to enable access to culture even in the remote places.

The basis for the cultural growth of the population is represented mainly by the widely organized network of cultural-educational activity, ranging from regional to local organizations. In their activities, the regional and district national committees participate, where there are departments of culture with a sufficient number of qualified staff, inspectors, etc.

In actions organized within the framework of cultural-educational activity in 1970, there were 45,285,000 citizens who participated in the Czechoslovak Socialist Republic, of whom 35,456,000 in the Czech Socialist Republic and 9,829,000 in the Slovak Socialist Republic; 64,441,000 citizens in the Czechoslovak Socialist Republic out of which 50,722,000 in the Czech Socialist Republic and 13,719,000 in the Slovak Socialist Republic.

This activity is organized and operated (excluding the cultural establishments in greater plants) primarily by houses of culture, cultural centres and houses of popular education, the number of which in 1970 was 6,449 in the Czechoslovak Socialist Republic, of which 3,599 in the Czech Socialist Republic and 2,850 in the Slovak Socialist Republic; and in 1972, there were 6,618 establishments in the Czechoslovak Socialist Republic, of which 3,793 in the Czech Socialist Republic and 2,825 in the Slovak Socialist Republic.

The development of people's artistic activity is widely organized in ensembles, the total number of which was 16,921 in the Czechoslovak Socialist Republic in 1970, of which 10,148 in the Czech Socialist Republic and 6,773 in the Slovak Socialist Republic; in 1972 there were 20,658 in the Czechoslovak Socialist Republic of which 13,373 in the Czech Socialist Republic and 7,285 in the Slovak Socialist Republic. In 1970 these ensembles had 276,085 members in the whole of the Czechoslovak Socialist Republic, of which 167,080 in the Czech Socialist Republic and 109,005 members in the Slovak Socialist Republic; in 1972, there were 353,038 members in the Czechoslovak Socialist Republic, of which 235,377 in the Czech Socialist Republic and 117,661 members in the Slovak Socialist Republic.

In order to show the wide range of activity of these ensembles in the year 1972 in the Czech Socialist Republic, from the total number of 13,373 ensembles there were, for example, 1,500 song ensembles with 38,500 members, 1,600 theatre ensembles with 35,000 members, 455 folklore groups with 12,500 members, 448 puppet theatre ensembles with 5,700 members, 310 amateur-film clubs with 2,500 members, 675 clubs of creative art with 8,600 members, 76 clubs of people's artistic production with 1,500 members, 279 dance groups with 7,000 members, 170 clubs of art lovers with 22,500 members, etc.

Great attention is paid to the development of people's libraries, the number of which was 11,245 in the Czechoslovak Socialist Republic (except for scientific, school, factory and other libraries) in 1970, out of which 7,996 in the Czech Socialist Republic and 3,269 in the Slovak Socialist Republic. These libraries made in 1970 51,815,000 lendings in the Czechoslovak Socialist Republic, of which 39,554,000 in the Czech Socialist Republic and 12,261,000 in the Slovak Socialist Republic; in the year 1972, there were 59,382,000 lendings, of which in the Czech Socialist Republic 44,763,000 and in the Slovak Socialist Republic 14,619,000. The total number of readers in the Czechoslovak Socialist Republic was 1,757,000 in 1970, of which 1,152,000 in the Czech Socialist Republic and 605,000 in the Slovak Socialist Republic; in the year 1972 the total number of readers in the Czechoslovak Socialist Republic was 1,916,000 of which 1,236,000 in the Czech Socialist Republic and 680,000 readers in the Slovak Socialist Republic.

The network of museums and galleries is broad; in the Czechoslovak Socialist Republic there were 267 museums in the year 1970, of which 205 in the Czech Socialist Republic and 62 in the Slovak Socialist Republic; in the year 1972, there were 271 museums in the Czechoslovak Socialist Republic, of which 209 in the Czech Socialist Republic and 62 in the Slovak Socialist Republic. In 1970, the museums were visited by 8,333,000 visitors- of which 5,671,000 in the Czech Socialist Republic and 2,662,000 in the Slovak Socialist Republic; in 1972 there were 10,845,000 visitors, of which 7,416,000 in the Czech Socialist Republic and 3,429,000 in the Slovak Socialist Republic. In 1970 there were in the Czechoslovak Socialist Republic 40 galleries, of which 28 in the Czech Socialist Republic and 12 in the Slovak Socialist Republic; in 1972 in the Czechoslovak Socialist Republic 41 galleries, of which 29 in the Czech Socialist Republic and 12 in the Slovak Socialist Republic. In 1970, the galleries were visited by 2,404,000 visitors, of which 2,030,000 in the Czech Socialist Republic and 374,000 in the Slovak Socialist Republic; in the year 1972 there were 3,181,000 visitors, of which 2,531,000 in the Czech Socialist Republic and 650,000 in the Slovak Socialist Republic.

The number of historical monuments and historical reservations is also high. In 1972, there were in the Czech Socialist Republic 31,656 main historical places, including 127 great castles. They were visited by 8 million citizens in that year. In the Slovak Socialist Republic, in 1972, there were 6,584 historical places, and they were visited by 3,500,000 citizens in that year.

The Czechoslovak Socialist Republic also has fields of long tradition, especially in music and theatre. Besides the professional bodies, in the years 1970-1972 there were 22 state musical ensembles in the Czechoslovak Socialist

Republic, of which 14 in the Czech Socialist Republic and 8 in the Slovak Socialist Republic. In 1970 these musical ensembles held 3,553 concerts, of which 2,657 concerts in the Czech Socialist Republic and 896 in the Slovak Socialist Republic; in the year 1972, there were 3,953 concerts, of which 2,857 in the Czech Socialist Republic and 1,078 in the Slovak Socialist Republic. These concerts were visited in 1970 by 2,076,000 persons, of which 1,391,000 in the Czech Socialist Republic and 685,000 in the Slovak Socialist Republic; in the year 1972 by 2,577,000 persons in the Czechoslovak Socialist Republic, of which by 1,716,000 in the Czech Socialist Republic and by 861,000 in the Slovak Socialist Republic.

The number of permanent theatres in the Czechoslovak Socialist Republic was 83 in the year 1970, of which 67 in the Czech Socialist Republic (of which 24 in Prague) and 19 in the Slovak Socialist Republic. These permanent theatres held in 1970 a total of 607 premiéres, of which 482 in the Czech Socialist Republic and 125 in the Slovak Socialist Republic; in the year 1972, there were 610 premiéres, of which 491 in the Czech Socialist Republic and 119 in the Slovak Socialist Republic. Theatre performances were visited in 1970 by 9,486,000 persons, of which 7,835,000 persons in the Czech Socialist Republic and 1,651,000 persons in the Slovak Socialist Republic; in the year 1972 by 9,673,000 persons, of which 7,991,000 persons in the Czech Socialist Republic.

Cinemas are also widely visited, even though the number of visitors declines. In 1970 there were 3,496 cinemas in the Czechoslovak Socialist Republic, of which 2,394 in the Czech Socialist Republic and 1,102 in the Slovak Socialist Republic; in the year 1972 there were 3,469 cinemas, of which 2,376 in the Czech Socialist Republic and 1,093 in the Slovak Socialist Republic. The cinemas were visited by 114,751,000 citizens, of which by 84,246,000 in the Czech Socialist Republic and 30,505,000 in the Slovak Socialist Republic; in the year 1972 by 98,362,000 citizens, of which by 71,480,000 in the Czech Socialist Republic and by 26,882,000 in the Slovak Socialist Republic.

We also wish to mention that in 1970, there were 31 people's observatories and planetariums in the Czechoslovak Socialist Republic, of which 24 in the Czech Socialist Republic and 7 in the Slovak Socialist Republic; in 1972 the number was 37, of which 24 in the Czech Socialist Republic and 13 in the Slovak Socialist Republic. They were visited in 1970 by 571,000 persons and in 1972 by 768,000 persons. In 1970 there were 10 zoological gardens in the Czech Socialist Republic, two zoological gardens in the Slovak Socialist Republic; in 1972 there were 11 zoological gardens in the Czech Socialist Republic and two zoological gardens in the Slovak Socialist Republic. They were visited in 1970 by 2,644,000 persons and in 1972 by 3,467,000 persons.

An important role in cultural activities from the point of view of information is played by periodical and non-periodical publications. In the field of non-periodical publications there were 6,635 titles issued in the year 1972, of which 4,086 in the Czech Socialist Republic and 2,549 in the Slovak Socialist Republic, in the total number of 72,788,000 copies, of which 51,780,000 in the Czech Socialist Republic and 21,008,000 in the Slovak Socialist Republic.

In the field of the right to the protection of the moral and material interests arising out of scientific, literary or artistic work in the Czechoslovak Socialist Republic certain changes were made.

/...

I. The copyright and the right of performing artists, producers of sound recordings and radio and television organizations was regulated in the Czech Socialist Republic by the Decree of the Government of the Czech Socialist Republic No. 159/1969, Collection of Laws, of 5 December 1969, concerning the fees of the receivers of author's rewards and rewards of performing artists to be paid into cultural funds, concerning fees for the use of free literary, scientific and artistic works and concerning fees of users of works. Notice No. 90/1970, Collection of Laws, of the Ministry of Culture of the Czech Socialist Republic dated 22 September 1970, regulates rewards for certain types of artistic activity performed outside employment relation.

II. The protection of historical monuments was secured on the territory of the Czech Socialist Republic in the period under review by means of the following new laws:

(a) Notice of the Ministry of Culture on declaring the historical centres of the towns of Pelhřimov, Nové Město nad Metují, Telč to be historical reserves;

(b) Decree of the Government of the Czech Socialist Republic dated 21 July 1971, on the historical reserve in Prague;

(c) Regulation No. 18 374/72-VI/1 of the Ministry of Culture of the Czech Socialist Republic, dated 28 December 1972, on the establishing and activity of working teams engaged in restoration of historical monuments (registered in volume 1/1973 of the Collection of Laws).

III. Protection of nature was secured in the Czech Socialist Republic in the period from 1 July 1969 to 30 June 1973 by 57 notices of the Ministry of Culture on the establishment of protected regions, State parks and protected places of finding.

IV. The Czechoslovak Socialist Republic concluded 8 international cultural agreements in the period under review. These are:

with the United States of Mexico an agreement on cultural co-operation;

with the Government of the USSR an agreement on the establishment and activity of the House of Soviet Science and Culture in Prague;

with the Government of the Socialist Republic of Romania an agreement on mutual establishment of houses of culture;

with the Government of the Republic of Cyprus an agreement in the field of culture, science and education;

with the Government of the State of Kuwait a cultural agreement;

with the Union of Soviet Socialist Republics an agreement on cultural and scientific co-operation;

/...

with the Government of the Republic of Italy a cultural agreement;

with the Government of the Kingdom of the Netherlands a cultural agreement.

The Constitution of the Czechoslovak Socialist Republic in the first place and other laws ensure that the rights mentioned above could be enjoyed by the greatest possible number of inhabitants without any distinction such as race, colour, sex, language, religion, political views, national or social origin, property, birth, etc. Among other things, the Constitution in its article 20 lays down that all citizens of the Czechoslovak Socialist Republic possess equal status and the legal system of the Czechoslovak Socialist Republic does not recognize, but prohibits any discrimination on the ground of race, nationality, language, religion, political opinion, property, etc.

The Constitutional Act No. 144/1968, Collection of Laws, on the status of nationalities, embodies the right of the citizens of the Hungarian, German, Polish and Ukrainian nationality to education in their mother tongue, to an all-round cultural development, the right to establish national cultural organizations and the right to a press and to information in their respective mother tongues.

The Constitution and the act on care for the health of people ensures to the citizens the right to health service and medical care.

EGYPT

/Original: Arabic/

/26 April 1974/

1. During the period indicated, the Arab Republic of Egypt has taken far-reaching steps in the field of human rights, perhaps the most important of these being the promulgation on 11 September 1971 of the new Constitution, which sets forth the main principles of human rights, devoting to these rights, and to economic, social and cultural rights in particular, the greater part of its provisions. The instrument promulgating it lays down the commitment to bring about social progress by mobilizing all creative potential and aptitudes, liberating Egyptians politically, economically, culturally and intellectually and safeguarding their dignity under the rule of law, which is the guarantee of their freedom and the basis for the legitimacy of authority. Part II of the Constitution deals with the fundamental components of Egyptian society and makes social solidarity the basis of this society (article 7) and the family its mainstay (article 9). It stipulates that it shall be the duty of society to ensure respect for and protection of morals (article 12) and that the State shall guarantee cultural, social and health services and, in particular, shall ensure that such services are made easily and regularly accessible to the villages so as to raise their standard (article 16).

2. The Constitution decrees that the national economy shall be organized on the basis of a comprehensive development plan guaranteeing a balance between public and private economic activity, with a view to the achievement of social objectives and the well-being of the people, and it aims at making the various kinds of ownership subject to popular supervision and State protection. The Constitution stipulates that private ownership is represented by unexploited capital which performs a social function in the service of the national economy, within the framework of the development plan, without deviation or exploitation. It further stipulates that such private ownership is to be safeguarded and prohibits the sequestration of private property except in the circumstances laid down by law and by a court order. It prohibits confiscation of private property except for public use and with just compensation and declares the impermissibility of nationalization unless it is dictated by public interest, in which case nationalization must be effected by a special law and compensation must be provided. It prohibits the general confiscation of funds and permits special confiscation only by a court order. The Constitution aims at limiting agricultural ownership so as to prevent the existence of feudalism (articles 29, 32 and 34 to 36).

3. Act No. 34 of 1971, concerning sequestration and the safeguarding of national welfare, provided guarantees for the rights of citizens within the framework of the protection of national security and welfare, by stipulating the impermissibility of sequestration except by a court order issued by a special court of sequestration. Following the promulgation of the Constitution and in accordance with the principle laid down in article 34 thereof, concerning the impermissibility of sequestration except by a court order, Act No. 53 of 1972 was promulgated, providing for the referral to the socialist public prosecutor of cases involving persons formerly subjected to sequestration without an order issued by a special court. This Act provided for investigation of such cases, and, where it was found that there were no objective grounds for sequestration, the decree imposing it and the resulting

/...

effects were rescinded. Where, on the contrary, it was found that there were objective grounds for sequestration, the case was referred to a sequestration court for a ruling in accordance with the provisions of the above-mentioned Act No. 34 of 1971. Act No. 52 of 1972 provided for the allocation of appropriate benefits to the holders of bonds issued under Act No. 150 of 1964, concerning the sequestration of the funds and property of certain persons, and the Nasser Community Bank was entrusted with payment of the amounts due to these beneficiaries. All of the foregoing in no way violate the provisions of international agreements concerning aliens subjected to sequestration.

4. Part III of the Egyptian Constitution contains provisions concerning the principles of individual freedom, and this freedom is protected by the strongest of guarantees so as to make it impregnable against any attempt at violation. The Constitution stipulates that individual freedom is a natural and inviolable right and that, except in the case of flagrante delicto, it is impermissible to arrest, search, imprison or restrict the freedom or movement of any person except by an order to be issued where a need for investigation and for the protection of society exists. Such an order must be issued by a competent judge or the public prosecution in accordance with the provisions of the law, which also limits the period of imprisonment pending investigation. The Constitution stipulates that every citizen who is arrested or imprisoned or whose freedom is restricted in any way must be treated in a manner preserving his human dignity and that it is impermissible to harm him physically or psychologically or to detain or imprison him in places other than those subject to the laws concerning the organization of prisons. The Constitution reinforces this fundamental guarantee by stipulating that any statement proved to have been made under the pressure of any of the above-mentioned conditions or as a result of threats is invalid and cannot be used against the detainee. Inasmuch as the imposition of penalties is the greatest restriction on individual freedom, the Constitution endeavours to provide the strongest guarantees to ensure justice and respect for the person of any convicted individual. It lays down provisions in this matter which must be observed in all penal legislation and by every authority charged with the implementation of such legislation. It stipulates that there is no offence or penalty except under the law, that no penalty shall be imposed except by a court order and that there shall be no penalty except for acts committed subsequent to the date of the entry into force of the law in question. The accused is innocent until proved guilty in a legal trial, and he is guaranteed the right to defend himself. The Constitution also proclaims the principle that penalty is personal (articles 41, 42, 66, 67 and 69). The Constitution accords great attention to safeguards for the right of defence, which are guaranteed the accused, and these include the right to be defended by counsel (article 68). The Constitution stipulates that any person arrested or detained must immediately be informed of the reasons for his arrest or detention and gives him the right to contact anyone in order to inform him of what has happened or to seek his assistance. He must be notified immediately of the charges brought against him, and he is entitled to complain to the court against any measure of arrest or detention. A judgement must be rendered in the matter within a specified period; otherwise the detainee must be released (article 71).

5. Since provisions relating to the freedoms upheld by the Constitution are found also in a number of other existing laws, such as the Criminal Code, the Code of Criminal Procedure, the Emergency Act, No. 162 of 1958, and the laws on measures

for national security, Act No. 37 of 1972 was promulgated to amend some of these laws to bring them into line with the provisions of the Constitution. This Act also laid down new provisions to strengthen the guarantees of individual freedom for citizens. The State is also concerned with questions relating to prisoners and endeavours to apply humane principles in their treatment and care, taking as a guideline the international Standard Minimum Rules for the Treatment of Prisoners. The legislature is endeavouring to increase the effectiveness of the rules and methods applied in our prisons, to develop the system of care and treatment beyond the level set in the Minimum Rules and to make after-care a complement to prison reform.

6. The Constitution prohibits the conducting of any medical or scientific tests on any person against his will and stipulates that the lives and houses of private citizens are inviolable and protected by law and that the State guarantees freedom of religion and worship, freedom of opinion, freedom of scientific research and literary, artistic and cultural creativity, freedom of association, freedom to form societies to establish trade unions and federations. The Constitution stipulates that it is the right of every Egyptian to enjoy freedom of movement and residence in any area of the country, to emigrate abroad permanently or temporarily and to return to his country (articles 43 to 47, 49, 54 and 56). In its profound concern to uphold and safeguard freedom, the Constitution contains one provision which is worthy of being adopted as a model in all other constitutions, inasmuch as it provides that any attack upon the personal freedom or private life of an individual or on any other general rights and freedoms which are guaranteed by the Constitution and the law constitutes an offence in respect of which the ensuing criminal or civil suit cannot be subject to prescription. It stipulates further that the State shall guarantee just compensation to the victim of such an attack (article 57).

7. After this description of the basic components of Egyptian society and the freedoms guaranteed for citizens by the new Constitution, we shall proceed to give a brief account of developments which have taken place with regard to certain economic, social and cultural rights during the reporting period, following the model recommended by the Secretary-General of the United Nations in the outline of headings annexed to his note.

The right to work

8. The Constitution gives every citizen the right to work, which is protected by guarantees of social justice, and proclaims that employment is a right, duty and honour guaranteed by the State, which ensures workers fair treatment in accordance with the work performed by them, limitation of working hours, the regulation of salaries, and the right to rest and leave on just economic bases. The Constitution states that excelling workers will be appreciated by the State and by society and prohibits the imposition of any work by force on citizens except by law for the discharge of public service and in return for remuneration. It stipulates that public posts are a right for citizens and a mandate for those assuming them to serve the people and that the State will ensure their protection and enable them to discharge their duties of safeguarding the interests of the people. It states

further that they may not be dismissed except by way of disciplinary action, save in those instances specified by law (articles 13 and 14). Act No. 10 of 1972 regulates the matter of dismissal for other than disciplinary reasons, on the basis of sound principles which establish a just balance between the duties of public office and the guarantees laid down for persons holding public office. The Constitution gives ex-servicemen, persons disabled in war or because of it and the wives and children of martyrs priority in work opportunities, in accordance with the law (article 15). The Constitution provides further that national economic planning shall be carried out in such a way as to ensure equitable distribution, the raising of the standard of living, the elimination of unemployment, increased work opportunities, the linking of wages to production, the guaranteeing of a minimum wage and the establishment of a maximum wage so as to reduce disparities in income. Similarly, it stipulates also that every citizen shall have a share in the national income, to be specified by law, having regard to the work performed by him (article 23), and that the workers shall share in the management of projects and in their profits and shall undertake to develop production and implement the plan in their productive units in accordance with the law. It lays down that the preservation of the means of production is a national duty and that workers' representation on the boards of directors of the public sector unit shall be in the region of 50 per cent of the membership of such boards (article 26). It provides for the right to form trade unions and federations on a democratic basis and stipulates that such associations shall have legal personality. It stipulates that the law shall regulate the role of the unions and federations in implementing social plans and programmes, raising standards of competence, promoting socialist conduct among their members and safeguarding their funds and that they shall be responsible for questioning their members on their conduct and the performance of their activities in accordance with ethical codes of honour and for defending the rights and freedoms laid down by law for their members (article 56).

9. In implementation of the constitutional provisions for the well-being of the worker as a corner-stone of the development process, two laws were promulgated, namely Act No. 58 of 1971, concerning the status of civil servants, and Act No. 61 of 1971, concerning the status of workers in the public sector. They contain many safeguards guaranteeing the rights of civil servants, providing for salary increases ensuring wherever possible, equality of treatment between the different categories of workers and providing for their in-service security, while the pensions and social insurance laws provide for their future security.

10. The State is also concerned about ensuring women the right to work and guarantees them equal treatment with men, without any discrimination, for equal work. The State provides women with social security and health services on a par with men. The legislature has regulated working hours, salary scales, the right to rest and leave for workers of both sexes, without any discrimination, and has guaranteed women the right to join and to assume leadership functions in trade unions. Nor has the legislature, in its regulation of labour relations, placed limitations on the right of married women to work; it permits them to be employed in accordance with the provisions of international conventions regulating the employment of women. The legislature has endeavoured to stress, in the labour legislation, that the enactment of provisions relating specifically to working

women does not mean that all the other labour legislation does not apply to them, without any discrimination, when they perform the same work as men, so that men and women receive equal pay for equal work.

Work stoppages in areas of public interest and any violation of freedom of employment are offences punishable under the Egyptian Criminal Code.

The right to social and health insurance and social care

11. The Constitution stipulates that the State shall guarantee social and health insurance services and disability, unemployment and old-age pensions for all citizens in accordance with the law (article 17). The competent agencies are currently working on the development of the Social Insurance Act, No. 63 of 1964, and the extension of its scope to cover all the various categories of workers in the different sectors of economic activity, so as to guarantee them security for their future in the event of retirement, disability, sickness or unemployment and also security as regards the future of their families in the event of their death, so that social security will provide comprehensive protection for all, in implementation of the principle of equality of opportunity. One of the primary objectives of this social security scheme is to provide medical care for workers and safety devices to protect them from occupational diseases and hazards. In furtherance of the State's efforts to ensure care for citizens and security for their future and the future of their families and to help them to cope with the circumstances of modern life, Acts Nos. 62, 63, 92 and 93 of 1971 were issued, amending the provisions of the pensions and social insurance legislation so as to raise the minimum and maximum levels for pensions to accord with the cost of living index, and Act No. 44 of 1972 was promulgated to guarantee increased care and to remedy some short-comings in the pension laws. The last-mentioned Act gives widows who marry pensioners or persons 60 years of age or over and children supported in such marriages adequate pensions for a decent livelihood, and it also permits the continued payment of the pension to students at certain university faculties until they have completed their studies and started work.

12. The State, in its pursuit of social development, has taken up contemporary trends in the field of social care and has affirmed its responsibility to provide economic and social security to all members of the nation from public budgetary funds, as a reflection of the social solidarity which, under the Constitution, is one of the bases of Egyptian society. Act No. 66 of 1971 was promulgated to establish the Nasser Social Bank, with the goal of extending the basis of social cohesion among citizens by laying down a scheme for pensions and insurance, and in particular, co-operative insurance for persons not already covered by existing pension and social insurance schemes, and by granting loans and assistance to eligible citizens so as to enable all members of Egyptian society to share in a life offering human dignity and present and future security. Various laws were also enacted to deal with the problem of training the disabled and providing various kinds of social, psychological, vocational and medical care for them and their families. Other legislation has provided for care for persons afflicted by the hazards of war or in the discharge of their national duties. In addition, the State is also endeavouring to give all citizens the highest possible standard of

living its economic capacity can afford, through the provision of adequate food and housing. The Egyptian legislature is also concerned with citizens' health and provides various kinds of care; many laws have been enacted in this field.

The rights of the family, the protection of motherhood
and children, and youth care

13. Since the family is the foundation-stone for the building of society and the initial environment for the upbringing of the citizens of the future, and inasmuch as the extent to which it is protected and its ties are strengthened determines the degree to which security and serenity and a feeling of loyalty and allegiance to the State prevails within the family, the Constitution strives for its protection and care and reinforces its foundations, namely, religion, morality and patriotism. The Constitution stipulates that the State shall strive to preserve the authentic character of the Egyptian family and the values and traditions it represents and to confirm and develop that character in relations within Egyptian society (article 9). It provides for State protection of motherhood and childhood (article 10) and stipulates that the State shall reconcile women's duties to their families with women's work in society (article 11). The Constitution lays down clearly the State's obligation to protect the rising generation from exploitation. Within the framework of this protection, Egyptian laws make ample provision for care for the young, and in fact a new act on delinquent youth has been drafted, all measures for its approval have been completed, and its promulgation and entry into force are expected in the very near future. Its provisions are based on the concept of replacing criminal responsibility by social responsibility in the case of juvenile delinquency, which is regarded as a social phenomenon that must be treated by reformatory methods, and the treatment of juvenile delinquency is confined to special measures totally unrelated to the concept of punishment and repression. The concept of rehabilitation is realized by making it impermissible for any criminal sentence to be imposed upon them. Just as Egyptian legislation provides for the physical protection of young people, it also provides protection for their morals and property and allows the withdrawal of legal guardianship where a legal guardian fails in his trust towards a minor under his care or where a legal guardian is convicted on a morals or drugs charge or of a criminal offence. Egyptian law prescribes that a judge shall permit the mother to have custody of a male child over the age of 7 years until he reaches the age of 9 and of a female child over the age of 9 years until she reaches the age of 11, where it is shown that their interests requires this. In the new Code of Personal Status, which is still in the drafting stage, the view of the legislature inclines towards according mothers the right to apply for continued custody of male children for more than 13 years and continued custody of female children for more than 15 years, provided that the child assents.

14. Since youth is the promise of the country and its hope for the future, the State has accorded it the care that will enable it to fulfil its mission in the service of the country. The State has given considerable attention to youth matters and to the development of the agencies responsible for youth care. It established the Ministry of Youth to prepare suitable means of ensuring such care for youth of various ages. The method adopted by the Arab Republic of Egypt for youth care so as to provide young people with the various necessary services is based on the principle that youth welfare services must be provided in accordance

/...

with the needs, inclinations and wishes of young people. In conformity with this concept, the State has encouraged the formation of special bodies to provide these services on its behalf and under its supervision, and Act No. 41 of 1972 was promulgated to lay down the rules for the establishment of such bodies, the conditions of their constitution, administration and financing, and their mode of operation within a framework that would enable them to create citizens sound in body, mind, spirit and thought, while ruling out any kind of tutelage over young people and allowing them the freedoms relating to popular organizations, within the limits of the law.

15. Egyptian laws do not place any restrictions on the freedom of parents to have children and to practise family planning. However, the State, through a special agency, recommends such planning and, to this end, provides many services free of charge.

The right to education and culture

16. Under the Constitution, education is a right guaranteed by the State and is compulsory at the primary level. The State is endeavouring to extend compulsory education to the other levels also. It supervises all education and guarantees the independence of the universities and scientific research centres, in order to link education to the requirements of society and production (article 18). There is freedom of education in the Republic, within the limits of the law, public order and morals, and education is a right for all Egyptians and is free of charge at the various levels in State educational establishments, including higher education in universities and other institutions. The State assumes responsibility for the setting up and gradual expansion of cultural and educational establishments and also for providing the various forms of cultural services. It has made religious education a primary subject in the general education curriculum, and under the Constitution the eradication of illiteracy is regarded as a national duty and all the people's efforts will be mobilized to realize that objective (article 21). The State guarantees equality in education, including access to universities, on the basis of aptitude, capacity and performance. The State places no restrictions on the rights of parents or legal guardians to choose the kind of education that shall be given to their children, within the limits of the available range of possibilities.

17. The State has endeavoured to guarantee the independence of the universities in such a way as to link university education with the requirements of society and production. Act No. 49 of 1972, on the organization of universities, entrusts them with the tasks of university education and scientific research in the service of society and of its cultural progress, with a view to participation in the advancement of thought, the progress of science, the development of human values and the training of human beings equipped with the fundamentals of learning, advanced research methods, and high values and with a view also to their assisting in the construction and strengthening of society, disseminating Arab culture and the historical heritage and fundamental traditions of the Egyptian people, ensuring a high level of religious, ethical and patriotic education and strengthening

cultural and scientific links with other universities and scientific bodies, both Arab and foreign, in addition to providing the country with experts and technicians in the various fields.

18. The State guarantees citizens freedom of scientific research and literary, artistic and cultural creativity and provides the necessary means for promoting these activities (Constitution, article 49).

Social justice and equality

19. Under the Constitution, social justice is the basis of the taxation system (article 38) and every citizen is entitled to a share in the national income, that share to be specified by law, taking into consideration the citizen's work and his unexploited property (article 25). The State guarantees all citizens equal treatment and equal opportunity, and the Constitution stipulates that all citizens are equal before the law and equal in their public rights and obligations, without distinction as to race, origin, language, religion or creed (articles 8 and 40). It guarantees them all, on an equal footing, the right to work, the right to assume public office and the right to education and provides for cultural and health services for all without exception. It also seeks to ensure equal treatment before the law for all categories, in addition to equality as regards the right to vote and stand for election, to express their views by referendum and to participate in public life. The Constitution is a bulwark of protection for fundamental freedoms and affirms freedom of religion and worship and freedom of movement and choice of residence for all citizens, without any discrimination on any grounds.

20. Another of the basic rights guaranteed by the Constitution is the right of litigation, and it is stipulated that no measure issued by the authorities may include a provision prohibiting the measure's being challenged before the law. This principle is laid down in article 68 of the Constitution, which states that no administrative action or decision shall be declared by law immune from judicial control. The implementation of this constitutional provision necessitated the revision of provisions in existing legislation which did prohibit litigation, and Act No. 11 of 1972 was promulgated to rescind the bans on litigation contained in certain laws. The promulgation of this Act will not preclude the consideration of further legislation to remove anything that might be regarded as an impediment to legislation in any other legal text. In addition, Act No. 46 of 1972 reaffirms the constitutional provision concerning the inadmissibility of the dismissal of judges and provides increased guarantees and incentives for those involved in the administration of justice by ensuring them greater security as regards their present and their future and by striving to bring the judicial system closer to perfection.

The protection of national unity

21. Egyptian society consists of one homogeneous people having the same values and traditions. The State calls for complete solidarity among the various strata of society and for full cohesion among all its members, of all the various religions and creeds, for the sake of national unity. With a view to the realization of this

objective, the State makes the preservation of national unity a duty for every citizen (Constitution, article 60), and, in order to strengthen the basis of this unity and reinforce its protection, the legislature promulgated Act No. 34 of 1972, the provisions of which stipulate that national unity rests on respect for the fundamental components of society, including equality of opportunity, equality for citizens in respect of public rights and duties, and freedom of belief and opinion in so far as this does not infringe on other freedoms. The Act imposes a penalty on any person who exposes national unity to danger, or deliberately disseminates false or tendentious information, statements or broadcasts with the intent of prejudicing the national unity of the forces of the popular alliance or the various categories of citizens it comprises and on any person who, by any overt means, incites to hatred of any category of the forces of the popular alliance or any class of persons or to ridicule of them and the stirring up of civil strife among them.

22. To sum up, the Arab Republic of Egypt has added, during the reporting period, to its previous attainments in the field of human rights, and of economic, social and cultural rights in particular, by the strengthening of constitutional principles and the enactment of legal rules in this field, and has thereby met the high standards set by international instruments regarding guarantees of respect for and protection of these rights.

23. Moreover, the efforts of the Egyptian legislature to ensure adherence to the principles of human rights during the period indicated have not been confined to the above-mentioned legislation which has already been enacted. The Ministry of Justice is guided by these principles in the draft legislation which it has prepared and which has not yet passed through all the legislative stages. We may cite by way of example two fundamental pieces of draft legislation, namely the Criminal Code and the Code of Criminal Procedure. In the draft Criminal Code, a new view is taken of the offender and the purpose of his punishment. Whereas, in the existing Code the offender is regarded as a criminal on whom legal sentence must be passed for the purpose of imposing the rigid penalty prescribed for his offence, so as to restrict his activity and deter others, in the new draft Code he is regarded as a sick person who must be treated and his circumstances, as well as the gravity of his offence, are taken into account in determining his sentence. In the new Code, the purpose of the sentence is not only to prevent and deter but also to reform and rehabilitate and, in all cases, to enable the offender to return to society as a sound citizen. Social considerations prevail in the draft Code, and this is reflected in its concentration on the individual, in the case of actual and potential offenders alike. The draft Code of Criminal Procedure pays great attention to the fundamental safeguards of the individual, and its provisions include general rules which reflect the fundamental principles laid down in the Constitution for the guaranteeing of freedom of the individual, the inviolability of his domicile, the right to defence, the legality of the imposition of the penalty, and the ensuring of judicial supervision of its execution.

IRAQ

/Original: English/
/5 July 1974/

Introduction

On 29 September 1970, Law No. 193 (1970) was promulgated to ratify the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights. Iraq, however, has not ratified the Optional Protocol to the International Covenant on Civil and Political Rights. The ratification of these two important international instruments is based on Iraq's strict adherence to its obligations under the Charter of the United Nations and its respect to the Universal Declaration of Human Rights.

A. The right to work

The Interim Constitution of the Republic of Iraq (1970) provides in paragraphs (a) and (b) of article 32 the following:

"(a) Work is a right which the State shall undertake to provide to every citizen who is able to work.

"(b) Work is an honour and a sacred duty for every able citizen and is required by the necessity of participation in building the society, its protection, development and progress."

The Law of Labour No. 151 (1970) describes "work" as the qualitative activity which distinguishes human qualities and that it is the source of all production, wealth, civilization and bounty (art. 1). This Law provides that "work" is a natural right which should be made available to every able citizen on equal opportunities and terms for all without distinction as to sex, race, language, or religion, for a wage commensurate with the effort expended and the volume and quality of production. It also provides that "work" is a sacred duty for every able citizen, dictated by honour, and required by the necessity of participation in building the society and its protection, development and progress. The same Law specifies that the State guarantees the right to work for all citizens, through the progressive planning of the national economy aimed at the expansion and development of industrialization and agriculture and the finding of the best opportunities and the most favourable conditions for the use of production sources and the elimination of unemployment in society.

1. Right to free choice of employment

The Law of Labour, referred to above, provides in article 13 that the contract of labour is a free agreement between the worker and the administration or the

/...

employer. Article 18 of the same Law prohibits the assignment to the worker of any work other than that agreed upon in the contract of labour, except when necessity requires otherwise, such as to prevent the occurrence of an accident or to repair the damage resulting therefrom or in the case of force majeure, on condition that such reassignment shall be temporary and duly notified to the appropriate trade union.

2. Right to just and favourable conditions of work

Article 32 (c) of the Interim Constitution provides as follows:

"(c) The State shall undertake to improve the conditions of work and to raise the level of living, experience and culture for all working citizens."

Article 21 (b) of the Law of Labour obligates the labour administration or the employer to make available all the circumstances, conditions, guarantees and precautions relating to work as specified in the Law, the labour Regulations, and the collective Labour Contracts. Paragraph (c) of the same article provides for respecting the worker during work and prohibits any wrongdoing, by word or by act, against his person, dignity, or belief. In addition, paragraph (d) of the same ordains the providing of the worker with all the opportunities and means which would enable him to develop his professional, technical, and cultural standards. In so far as the protection of workers from work hazards is concerned, article 105 of the Law of Labour made it obligatory upon the labour administration or the employer to make the worker, before employing him, aware of the hazards of his job and the preventive measures he should adopt, and to put up in a visible place a notice on these in accordance with the appropriate administrative regulations. Should the employer refuse to comply with the regulations issued by the competent ministry, the latter could order the closure of the works completely or partially (art. 106 and the following). Article 109 of the Law of Labour specified the medical services which the employers are obliged to make available to the workers. The same Law has dealt with the employment of women and juveniles in Chapter Six (arts. 70-92) the conditions of work in mines and quarries in Chapter Seven (arts. 92-105), and the means of general safety of work in Chapter Eight (arts. 105-110).

3. Right to protection against unemployment and underemployment

Reference has already been made to paragraph (a) of article 32 of the Interim Constitution which provides that work is a right which the State shall undertake to provide for every citizen who is able to work. The Law of Labour has dealt with the employment of workers. It has provided for the establishment of a labour administration for employment, training, and qualification (art. 159). The aims of this administration, as provided for in article 160 of the Law, is to protect and emphasize the noble and humane value of work; freeing it once and for all from any implication that work is a mere commodity, and the arbitrariness of the market and monopolies; and enabling all willing citizens to exercise it

/...

in dignity as a right guaranteed by law to every able citizen. Article 167 of the Law provides for the establishment of a central employment bureau, a central training bureau, and a central qualification bureau. The central employment bureau is entrusted with the task of opening employment offices in accordance with the conditions, needs, and development of work (art. 168 (b)); collecting information and statistics on employment in Iraq, the Arab countries, and the world (art. 168 (d)); gathering and classifying annual statistics on the labour force with a view to determining the ratio of its distribution amongst the various sectors of labour (art. 168 (e)); and gathering statistics on work establishments to know the current vacancies and the expected needs for labour. The employment offices are charged with securing the employment of workers in accordance with the best conditions available when the opportunity for work presents itself (art. 171 (d)). It is to be pointed out that all services rendered by the employment offices are free of charge.

4. Right of everyone who works to just and favourable remuneration ensuring a decent living for himself and his family

Paragraph (a) of article 60 of the Law of Labour provides that the wages of a worker shall not be lower than the minimum wage limit set up for his job, industry or work, and that all establishments employing workers, whether public, co-operative, or private, shall pay the difference between the minimum wage limit and the wage paid should the latter be lower. Article 52 of the Law establishes a committee for determining the limits of wages, grants, bonuses, and other financial incentives in the different industries, jobs, and sectors of work all over the Republic of Iraq. The committee, after consultations with the appropriate administrations, work organizations and employers, has the power to suggest a general policy of wages in the light of the economic situation of the country, the general standard of living, and the developments in national production. In determining such a policy, consideration should be given to the effort for unifying the wages in all sectors of the work, as well as the sufficiency of wages for securing an appropriate human standard for living, for the worker which guarantees for him his fundamental needs in nutrition, clothing, and housing (art. 57 (b)).

5. Right for everyone, without discrimination of any kind, to equal pay for equal work

Article 19 of the Interim Constitution provides as follows:

"(a) Citizens are equal before the law, without distinction for reason of sex, race, language, social origin, or religion.

"(b) Equal opportunities for all citizens are guaranteed within the limits of the law."

/...

As for equal payment of wages, we have already referred in the provisions of Article 57(b) of the Law of Labour.

6. Right to rest, leisure and reasonable limitation of working hours and periodic holidays with pay

Article 32 (e) of the Interim Constitution provides the following:

"The State shall endeavour to prepare the necessary programs and means which enable the working citizens to spend their leaves in an atmosphere which help them to improve their health standards and developing their cultural and technical gifts."

The Law of Labour has dedicated Chapter Five for the treatment of the times for work, rest, leaves, and national holidays. It has provided in Article 61 that the working day equals eight hours, and the working week equals forty-eight hours, and that the working hours shall be distributed over six days followed by a day's rest fully paid. The working hours shall also have an intervening period of rest and food which should not be less than half an hour or exceed one hour, and that in the determination of this period due consideration should be given that the period of continuous work shall not exceed five hours (Article 65(a)). The Law has fixed the annual leave at twenty days fully paid, which period shall be increased by two days for every five years of service as from the date of application of the Law (Article 72).

7. Right to form trade unions and to join the trade union of one's choice

The Law of Labour has dealt in Chapter Sixteen with trade unions and provided that each sector of labour shall have the right of establishing one trade union in each Governorate (Article 197). It has also provided that each worker, upon the completion of 16 years of age, shall have the right to belong to the trade union of his work (Article 215).

8. Right to strike

Under the Labour Law, labour disputes fall within the direct jurisdiction of the High Labour Court. The various labour administrations, employers, trade unions, and workers are under the obligation to respect and immediately implement its decisions. The Law imposes penalties upon the labour administrations, trade unions, or workers in cases of non-compliance with a decision of the Court. In the case of non-compliance by employers, the Law permits the workers to occupy the premises of the factory or strike and demonstrate. The Law regards these acts as lawful provided that they are not accompanied by any violation to security or public order. It has also given to the Ministry of Labour and Social Affairs, and the Federation of Trade Unions, the right to take over the administration of the

works, its operation, and the payment of the workers if the employers continue to refuse the implementation of the decision of the High Labour Court for a period exceeding two days from the date of the occupation of the premises of the factory by, or the strike of, the workers. (Chapter Eleven of the Law of Labour, Articles 130-137).

B. The right of social security, including social insurance in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond one's control

Article 32(d) of the Interim Constitution provides the following:

"(d) The State shall undertake to provide wider social security for all citizens in case of sickness, disability, unemployment or old age."

The Law of Labour has provided for the application of the Law of Retirement and Social Security No. 39, 1971, to all the workers to which it applies. (Article 7 of the Law of Labour).

As for retirement, the Law of Retirement and Social Security No. 39, 1971, provides for the right of a secured worker to a pension when his service comes to an end in the following cases:

(a) When the male worker completes sixty years of age, or when the female worker completes fifty-five years of age, after having served for twenty years in a secured service as a minimum;

(b) When the male worker has completed thirty years of secured service, or when the female worker has completed twenty-five years of secured service as a minimum.

(c) When the worker dies during his secured service, provided that he was duly registered in the administration and his subscription was paid before his death, regardless of the period of his service or the amount paid on his behalf.

In cases of illness the worker is entitled to a sickness pension if he is considered disabled due to unrecovery after the expiration of the maximum limit of the sick leave (Article 50 of the Law of Retirement and Social Security). When an injury to the worker leads to complete disability, or death, he is entitled, or his successors, as the case may be, to an injury pension calculated on the basis of 80 per cent of his wage aggregate during the last year of his work, or through the whole period of his work if it amounted to less than a year. In all these cases, however, the injury pension should not in any case amount to less than the ordinary pension to which the injured worker is entitled or less than the minimum wage determined for his job. If the injury leaves the worker disabled by 35 per cent of complete disability or more, he is entitled to a

/...

partial injury pension calculated on the basis of the percentage of the partial disability multiplied by the complete injury pension. Should the injury result in a disability less than 35 per cent of complete disability, the worker is entitled to a compensatory grant to be paid once, calculated on the basis of the total of the percentage of partial disability multiplied by a sum equalling a full injury pension for four years. (Article 56 of the Law of Retirement and Social Security). When the secured service of the worker (i.e., the service to which the Law of Retirement and Social Security applies, comes to end, and the conditions for the entitlement to a pension are not fulfilled, the worker is granted a monetary compensation to be paid once, calculated on the basis of the aggregate monthly wages multiplied by the number of the years of service. To this end, periods less than a year shall be considered as a year in the following cases:

- (a) If the male worker has attained sixty years of age and the female worker fifty-five years of age. (Article 107 (a) of the said law);
- (b) If the secured female worker resigns due to her marriage or maternity (Article 68 (a) of the same Law);
- (c) If the worker falls out of the field of application of the Law of Labour and the Law for Retirement and Social Security, as for example when he becomes a governmental official or an employer.

C. The right to an adequate standard of living

1. Right to adequate food

A reference has already been made to this right in connexion with the determination of wages under the Law of Labour. In addition, the Law on Freedom from Hunger and Malnutrition No. 188, 1964, as amended by the Law No. 41, 1972, was promulgated in accordance with the decision of the tenth session of the Food and Agriculture Conference, which initiated a world-wide freedom from hunger campaign under the auspices of FAO, as approved by the United Nations in November, 1960. The Law referred to above provided for the continuation of the activities of the National Committee for Freedom from Hunger which was established in fact in 1961. Article 2 of the Law provided for the establishment of an organization for freedom from hunger and malnutrition, connected with the Ministry of Agriculture, and honorary chairman of which is the President of the Republic. The fundamental purpose of the organization, as provided for in Article 3 of the Law, is to participate in the world-wide freedom from hunger campaign; to collect and exchange information with the similar organizations in other countries; to educate Iraqi public opinion in the quality, advantages, and importance of food-stuffs and the necessity for the availability of the fundamental dietary elements in the food consumed by all people; and, the initiation of practical projects in the interest of agricultural development.

On 6 December 1969, the Law No. 207, 1969 (as amended later by the Law No. 88, 1970) was promulgated. This was done to set up the National Committee for the World Food Programme, in implementation of the agreement between Iraq and the World Food Programme. The Committee is entrusted with the task of co-ordinating the work between all the departments benefiting from the programme, and between them and the programme itself to benefit from its resources in maintaining and expanding projects for economic, social, cultural, or nutritional projects and the like.

2. Right to adequate clothing and housing

The Government of the Republic of Iraq strives for making adequate housing available to all citizens. A number of laws have been promulgated to this end. These include: the Law of Housing No. 54, 1962 as amended by the Law No. 96, 1963, and the Law No. 2, 1965; the Law for Securing Housing to Citizens No. 125, 1963, as amended by the Law No. 141, 1965, and the Law No. 84, 1967; the Law for the Building of Houses to Workers No. 38, 1941 as amended by the Law No. 121, 1962.

3. Right to necessary social services

Treatment of this point has already been made above in connexion with other points. In this respect, it is worth referring to the Law for Social Care No. 26, 1962.

4. Right to continuous improvement of living conditions

Article 29 of the Interim Constitution provides as follows:

"The State shall endeavour to provide the means of enjoyment of the achievements of modern civilization for the people's masses and to generalize the progressive products of modern civilization to all citizens."

Article 32(c) provides the following:

"The State shall undertake to improve the conditions of work and to raise the level of living, experience and culture for all working citizens."

The Law of the National Development Plan No. 70, 1970 aims at raising the standard of living of the masses on a large scale.

/...

5. Right to the protection and improvement of the human environment

The Iraqi Legislature has dealt with the improvement of the human environment in numerous legislations foremost of which is the Criminal Law (1968) which punished crimes harmful to public health (Article 368-369, 496-497, and 499). In addition, there are various regulations and executive orders relating to sanitary supervision to prevent pollution. Amongst these are: Regulations for the Protection of Public Rivers from Pollution No. 25, 1967; Regulations for Sanitary Supervision of Factories No. 74, 1968; Declaration No. 20, 1959 of the Directorate of Transport Police and Traffic and its amendments relating to the protection of air from pollution caused by vehicle emissions. There is also the Law on Prevention of Noise No. 21, 1966. The Criminal Law (1968) prohibits the causing of noise and specifies a punishment in respect thereto (Article 495).

D. The right to the enjoyment of the highest attainable standard of physical and mental health

It is worth noting that Article 33 of the Interim Constitution provides as follows:

"The State shall undertake to protect the public health through continuous expansion in the free medical services in prevention, treatment and medicine on the range of cities and villages."

There are various legislations dealing with public health, amongst which we may mention: Law of Public Health No. 45, 1958, as amended by Law No. 62, 1964; Law of Food-Stuffs No. 26, 1930 and its amendments; Regulations for the Supervision of the Sale of Food and Beverages No. 11, 1941; Regulations on Dairies No. 61, 1937; Law No. 18, 1971 ratifying international health statutes adopted by the World Health Organization; Law on Popular Clinics No. 192, 1970, as amended.

1. The reduction of stillbirth-rate and of infant mortality and for the healthy development of the child

(1) Steps taken to reduce stillbirths and infant mortality:

(a) Increasing the number of MCH centres through which better ante-natal care is given and extending these services to larger areas of the country. It is interesting to note that MCH services started only in 1954 with one centre in Baghdad. At the end of June 1973, we have 85 centres working (the increase in number of MCH centres that were opened in the period July 1969-30 June 1973 was 18).

The number of pregnant mothers registered at the MCH centres to receive periodic regular ante-natal care during the above period was: 194 436.

/...

(b) More maternity beds were established in Maternity Hospitals and in Maternity sections of general hospitals bringing up the total number of maternity beds available at the end of June 1973 to 1555 beds.

(2) Healthy development of children is ensured:-

(a) By opening new MCH centres as mentioned above and by increasing paediatric beds both in special paediatric hospitals and in paediatric departments of general hospitals. The total number of paediatric beds available at the end of June 1973 has risen to 1861 beds.

In the period of 1 July 1969-30 June 1973 the total number of infants and children registered at the MCH centres to receive its regular periodic care were as follows:-

Infants	0-1	235 056
Children	1-6 years	102 060

The total attendances of pregnant mothers, infants 0-1 and children 1-6 year were as follows:-

Total attendances of pregnant mothers	557 504
Total attendances of infants 0-1	871 788
Total attendances of children 1-6 years	702 212

Among the important services given to children in MCH centres is protection from infectious diseases by vaccination and careful attention to suitable adequate nutrition by supplying them with extra milk and vitamins free of charge. The total number of doses of the different vaccines given to children at MCH centres were as follows:-

Poliomyelitis	248 908 doses
D.P.T.	237 584 doses
Smallpox	164 548 doses
B.C.G.	76 632 doses

This is in addition to the routine vaccination of children and mothers which is carried out in all health centres and hospitals in the country. The total amount of milk distributed in MCH centres and the number of beneficiaries who obtained that milk were (during the July 1969 - June 1973) period as follows:-

1,132,778 lbs. of powdered milk distributed to 256660 infants and children.

(b) Health education to mothers carried by all means and in every way. Individual discussion with the mothers is carried on in the MCH centres as well as group discussions (meetings, mother's club) and lectures. The most important method of health education, however, is by home visiting. Health visitors visit the homes in which the mothers and their children are living and give aid and advice in a more practical form in this way.

/...

The number of homes visited by health visitors in the period July 1969 - June 1973 was:- 49570 homes.

2. Improvement of all aspects of environmental and industrial hygiene is ensured by:

- (1) Inspection of all public waters and water supplies and their preservation from pollution;
- (2) Surveillance of rivers to prevent the excessive and dangerous concentration of effluents discharge from factories and residential areas to a degree where no health hazards exist and to ensure the cleansing process of our rivers to remain effective;
- (3) Surveillance of air in industrial areas and crowded traffic to study degree of contamination and to set up standards to control air pollution;
- (4) Steps taken to study the relation of water fluoridation and dental caries in Iraq in view to ensure dental health;
- (5) Prevention of housing schemes in Iraq particularly in urbanized areas;
- (6) Rodent and insect control through well-organized bodies;
- (7) Improvement of refuse disposal system;
- (8) Steps taken to control food sanitation at source by veterinary supervision of animals and avoiding contamination of vegetable and preventing their contact with field soils, polluted water or human excreta. However inspection of food during production, processing, transportation, storage, handling and distribution is carried to ensure its wholesomeness and its fitness for human consumption;
- (9) Regulation No. 25 enacted in 1967 by the Ministry of Health, approved by the Council of Ministers and issued in the Official Gazette No. 1446 dated 2.8.67. It concerns the protection of rivers and public water courses from pollution;
- (10) Regulation No. 74 enacted in 1968 by the Ministry of Health, approved by Council of Ministers. It refers to health inspection of factories.

3. The prevention, treatment and control of epidemic, occupational and other diseases

- (a) In the field of epidemic diseases the following steps are taken:
 1. Collection of data concerning epidemic diseases to ensure their prevention and control.

/...

2. Field surveys in case of epidemics for urgent control.

3. Surveillance measures for certain epidemics which include epidemiological surveys, bacteriological and parasitological studies.

Among the most important epidemics which we had during the last five years, 1969-1973 smallpox outbreak comes first. During the first trimester of 1972, 37 cases of smallpox occurred in Iraq and outbreak was controlled within about four months. The measures taken were:

(1) Early detection and isolation of cases.

(2) Follow-up and immediate vaccination of the contacts.

(3) Isolation of suspected cases.

(4) Special campaign project for zonal vaccination to be followed by mass vaccination in the country.

(5) After the disease was controlled, containment measures were followed to ensure complete eradication of the disease.

The second serious epidemic was a non-communicable disease, namely organic mercury poisoning among farmers and their families who consumed the treated wheat and barley grains. During the epidemic and for few months afterward, measures taken were:

(1) C.M.O. of all 16 governorates were immediately informed on the spread of the poisoning and steps were taken to provide enough beds in hospitals and for palliative treatment.

(2) The veterinary services were informed in the spot, and steps were taken to examine the slaughtered cattle to estimate the level of mercury in their organs.

(3) Cattle movement was restricted and their transport from one province to another was prohibited.

(4) Livers, hearts, kidneys and brains of the slaughtered cattle in five provinces, mostly stricken with the poisoning, were destroyed.

(5) Shooting of birds and their consumption were prohibited.

(6) Several food items were routinely examined to insure their wholesomeness from chemical poisons.

(7) Cases stricken with this Catastrophy were followed and are still being taken care of and studies are on their way for their rehabilitation.

/...

Other communicable diseases that occurred during the mentioned period were:

- (1) Pulmonary tuberculosis
- (2) Cerebrospinal fever
- (3) Typhoid fever
- (4) Measles
- (5) Rubella
- (6) Diphtheria
- (7) Mumps
- (8) Poliomyelitis
- (9) Infectious hepatitis (viral)
- (10) Trachoma
- (11) Tetanus neonatorum

Some of these diseases are endemic in Iraq, and all the necessary steps for their prevention, treatment and control were and are being taken. Compulsory mass B.C.G. vaccination is mandatory by law to all new-borns. Poliomyelitis and triple vaccination (D.T.P.) are applied to all children from the third month after birth. Typhoid and cholera vaccinations are given whenever necessary. Measles, rubella and mumps vaccinations are encouraged particularly to the vulnerable and fragile groups of the community. Tetanus toxoid is given to pregnant women in their last months of pregnancy to ensure passive immunity in new-borns. Isolation and treatment of patients is practiced in fever (isolation) hospitals in all provinces. Investigation, surveys and surveillance of contacts and carriers are being followed. Steps are being taken to improve environmental and social conditions. Education of public on personal hygiene and public health is propagated through all the available audio-visual aids.

Moreover studies related to chronic non-communicable diseases are being carried at present to aid in their prevention, treatment and control. Such diseases are lung cancer, and its relation to cigarette smoking, other cancers, rheumatic heart diseases, other cardiovascular diseases, accidents. Such diseases are spreading more and more every day and becoming more serious.

(b) In the field of endemic diseases steps had been taken to eradicate those diseases which affect the community economically, socially, as well as physically and mentally. Diseases in this field which had been taken care of are as follows:

1. Malaria: efforts continued to eradicate a highly endemic disease in Iraq by spraying insecticides (like DDT and malathion) to kill the vector of the disease both in the adult and larva forms in addition to the surveillance of the cases and treating the infected (with chloroquine daraprim and primaquine) to reduce the parasitic reservoir in the community.

/...

Accordingly the cases went down year by year from 12,998 in 1969 to 6,559 in 1972. It is interesting to mention that in the pre-eradication era the disease was highly prevalent. To give an example, 750,000 cases had been recorded in 1946.

We use in these activities about 1,000 tons of 75 per cent WWP of DDT and about 300 tons of malathion yearly during this period.

The Government allocates about one million Iraqi dinars annually for the purpose of eradication of this disease.

2. Bilharzia: a disease highly prevalent in the central and southern regions of Iraq especially among farmers and their families. Efforts have been taken to control the transmission of the disease. In this respect activities have been taken in five directions:

(a) Mass urine examination carried out in samples for school children as an indicator to see the progress of the control activities. A drop has been recorded during the period from 5.3 per cent positively of the examined children in 1969 to 4 per cent in 1972. It is worth while to mention that in 1958 the prevalence among school children was about 40 per cent.

(b) Treatment has been developed from the 14 injections of foudine (antimony) to a single injection of hycanthone.

(c) Sanitation is carried in co-operation with the Foundation of Rural Health Services and other ministries like the Ministry of Irrigation, Agriculture and Municipalities. At the same time we are treating infected channels to kill the snails by molluscicides, like copper sulphate, sodium pentachlorophenate and bayluscide. A reduction in the positivity of examined channels infected with snails has been recorded from 5 per cent in 1969 to 3.9 per cent in 1972, keeping in mind that it was above 40 per cent in 1958.

(d) Health education of the public to prevent contact with infested water.

(e) Diagnosis and treatment by the local health centres.

3. Vector Control: by studying and attacking the vectors with insecticides as follows:

(a) Fogging, with pyrethrum and diazinon periodically, the cities and towns of Iraq.

(b) Larviciding, with chemicals and petroleum oils, of water collections and breeding places.

(c) Spraying of collections of refuse and garbage with diptres.

4. Kala azar: to supply the prevalence, epidemiology and control of the disease.

/...

Activities in this respect included the diagnosis (clinical, microscopical and culture), treatment, entomological studies of the vector and investigation of the animal reservoirs. Studies showed that the disease is prevalent in Iraq in certain foci.

5. Other Studies: of other endemic diseases have been carried out like hydatidosis and ankylostomiasis to prepare for control projects of these diseases.

(c) In the field of Occupational diseases treatment control a Central Occupational Health Department has been organized attached to Directorate General of Preventive Medicine and staffed by two doctors, one of them is an Industrial Medical Officer with a degree of DI.H. Moreover there is a similar department linked to the Ministry of Labour and Social Affairs, staffed by a medical doctor, and 10 scientific workers (chemists), 91 inspectors of factories. An industrial hygiene and safety laboratory is attached to it. Also and since 1972 a hospital with full staff has been allocated for the treatment of all workers suffering from illness or injury. Furthermore employment of factory doctors for the large industrial establishments is mandatory by law. The steps taken by the above-mentioned departments for the prevention, treatment and control of occupational and other diseases are:

1. Provision of health and safe working environment with repeated factory inspections.
2. Pre-employment and periodic medical examination of workers.
3. X-ray, blood, urine and other tests are being carried.
4. Vaccination of all workers against diseases such as cholera, typhoid and smallpox.
5. Ensure first aid treatment at site of work.
6. Health education to workers and management on personal hygiene, public health, protection from environmental hazards and on the relation of occupation to health. This is carried by trained personnel aided by all audio-visual aids available.
7. Rehabilitation of injured and sick in rehabilitation centres attached to Ministry of Labour and Social Affairs.
8. A special committee is formed for the compensation of the injured, sick and disabled.
9. Training of medical students, nurses, factory inspectors on occupational health including the diagnosis, treatment and prevention of occupational and other diseases.

4. Creation of conditions which should assure to all medical services and medical attention in the event of sickness

Steps are taken to improve the therapeutic medical services in hospitals (152 in number with 20,322 beds) and in polyclinics (54 in number). The number of doctors, dentists, pharmacists and nurses has increased considerably in the period 1969-1972 as shown below:

<u>Years</u>	<u>Medical Doctors</u>	<u>Dentists</u>	<u>Pharmacists</u>	<u>Nurses</u>
1969	2,552	345	669	2,910
1970	2,890	379	855	3,343
1971	3,087	442	885	3,546
1972	3,612	497	957	3,597

As to the rural health services, revolutionary steps have been taken to ensure that medical and health services would reach all rural dwellers and peasants. To that effect, primary and secondary rural health centres have been established and equipped with all required facilities and equipments for diagnosis and treatment under the supervision of able medical and auxiliary personnel. Also mobile teams have been organized to provide medical and health care to remote rural dwellings.

But most important of all is the nationalization and security of medical care in the rural areas. Hence private practice has lost its reputation. All citizens, rich or poor, are equally and adequately treated and cared for. Now, this nationalization and security of medical care has reached the towns and step by step it will cover the cities. The following table shows the increase in number of health centres covered by this scheme:

<u>Year</u>	<u>No. of Centres</u>
1970	140
1971	140
1972	174
1973	247

Furthermore the medical health and auxiliary personnel in serving the Rural Health Foundation has increased considerably since 1968 as shown in the table below:

<u>Staff</u>	<u>Prior to 1968</u>	<u>At present</u>
Medical male doctors	30	220
Medical female doctors	nil	120

/...

<u>Staff</u>	<u>Prior to 1968</u>	<u>At present</u>
Dentists	10	40
Pharmacists	4	6
Sanitarians	15	124
Medical assistants	400	640
Laboratory assistants	6	130
Pharmacist Assistants	14	148
Radiologists	0	10
Nurses	70	201
Midwives	nil	28
Vaccinators	50	134
Dressers	400	850
Orderlies	450	1,000

E. The right of the family, motherhood and childhood to protection and assistance

Article 11 of the Interim Constitution provides as follows:

"The family is the nucleus of the society. The State shall guarantee its protection and support and shall take care of motherhood and childhood."

The Law for Social Institutions No. 42, 1968 has dealt with social services rendered to citizens.

F. The right to education

Article 27 of the Interim Constitution provides as follows:

"(a) The State shall undertake to combat illiteracy and insure the right to education freely in its different stages, elementary, secondary and university for all citizens.

"(b) The State shall endeavour to make the elementary education as compulsory and to expand the professional and technical education in the cities and villages and to encourage specially the night education which enable the public masses to gather between science and labour.

"(c) The State shall guarantee freedom of scientific research and to encourage and reward the distinction and creation in other mental, scientific and technical activities and various phenomenon of national genius."

/...

On 6 December 1971, the Law for Combatting Illiteracy No. 153, 1971, was promulgated. A 15-year plan has been drawn for the objective of eliminating illiteracy.

G. The right to participate freely in cultural life

1. Right to take part in cultural life and to enjoy the benefits of scientific progress and its applications

Articles 28 and 29 of the Interim Constitution provide as follows:

"28. Education shall aim to raise and to develop the general cultural level, to encourage the scientific thought, to strengthen the spirit of research and to fulfill the requirements of programmes of economic and social development and to create a national, free progressive generation, strong in its structure and character which endear his nation, homeland heritage and to sympathize with the rights of all his nationalities and to struggle against the philosophy of Capitalism, exploitation, reactionary movement, Zionism, imperialism for the purpose of achievement of the unity, freedom and socialism."

"29. The State shall endeavour to provide the means of enjoyment of the achievements of modern civilization for the people's masses and to generalize the progressive products of modern civilization to all citizens."

2. Right to protection of the moral and material interests arising out of the scientific, literary or artistic work

On 4 January 1971, the Law for the Protection of the Author's Right No. 3, 1971 was promulgated to ensure protection to authors against misappropriation of their literary rights and to enable them to enjoy fully and freely the fruits of their efforts.

- IV. Action with a view to ensure that the rights referred to under III above are enjoyed by increasing numbers of the population and without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status

Reference has already been made to article 19 of the Interim Constitution which provides that:

"Citizens are equal before the Law, without distinction for reason of sex, race, language, social origin, or religion," and that "Equal opportunities for all citizens are guaranteed within the limits of the Law".

In this connexion, reference should be made to the Decree of the Revolutionary Command Council No. 288 of 11 March 1970, which has dealt with the recognition of

the national rights of the Iraqi Kurds, has provided, inter alia, that in formulating the national economic plan, adequate measures should be undertaken to ensure an adequate development process in all regions of the country taking into particular consideration the special conditions of the Iraqi Kurdish region. The same Decree set up an expert committee with the task of studying the ways and means for the speedy rehabilitation and development of the Iraqi Kurdish region. Moreover, a special budget has been set up for this purpose.

The Iraqi Government has vigorously pursued the implementation of development measures particularly in the fields of teaching, education, culture and information, with respect to the Iraqi Kurds. To begin with, article 7 of the Constitution recognizes the Kurdish language as an official language, alongside Arabic, in the Kurdish region. In 1970, a university was set up in the region and every effort is being made to enhance the effective exercise of autonomy by the Iraqi Kurds in pursuance with the objectives set out in the Decree of the Revolutionary Command Council referred to above. In this connexion, it is of interest to note that since the passing of that decree, various associations and unions of Kurdish students, women, youth, teachers, and the like, have been established.

The policies pursued by the Government of the Republic of Iraq in respect of the Kurds have similarly been followed in respect of other minorities in the country. On 24 April 1972, the Revolutionary Command Council passed Decree No. 251, in which the cultural rights of the Syriac-speaking Iraqis have been recognized, be they Assyrians, Chaldeans, or Syriac. The Decree provides for regarding Syriac as the teaching language in all primary schools whose majority of students speak Syriac with the proviso that Arabic continue to be taught as a compulsory language. The same provision applies to intermediate and secondary schools. At the university level (the College of Arts of the University of Baghdad), Syriac has been introduced as one of the ancient languages. The Iraqi Radio and Television Authority has been instructed to introduce programmes in Syriac, and the Ministry of Information has been asked to produce a monthly publication in Syriac. The Decree, moreover, provides for the setting-up of an association for Syriac writers, ensuring their representation in the literary unions and associations of the country, and providing material and moral assistance to Syriac authors, and translators with a view to publishing their works. In addition, the Decree instructs that all measures should be taken to enable the Syriac-speaking citizens to establish cultural and artistic clubs, and to establish artistic and theatrical companies in order to revive and develop indigenous folklore. On 10 July 1972, Law No. 82/1972 was promulgated to establish the Syriac Academy of Letters as an independent body with a legal personality of its own, with the task of being a consultative body in the study and teaching of Syriac, the revival of the cultural and literary heritage of Syriac, and the study of the interrelationship between Syriac and Arabic. The Academy was empowered to publish old Syriac texts and documents, invite writings and translations on topics chosen by it, assist in the writing of teaching texts for all levels of education, establish a Syriac library, publish a periodical, and to provide financial assistance to researchers, writers and translators of Syriac.

Similar measures to those mentioned above have been adopted and implemented with respect to the Iraqi Turkish minority.

/...

SYRIAN ARAB REPUBLIC

/Original: English/

/2 July 1974/

In accordance with the provisions and spirit of the Constitution of the Syrian Arab Republic, which ensures and protects the different aspects of the economic, social and cultural rights, many decrees were issued to promote these rights. During the last five years, the Government of the Syrian Arab Republic issued a series of decrees related to the following fields:

1. Child care

Decree No. 107 dated 4 May 1970 ensured the security of children born out of wedlock, and asked the Ministry of Labour and Social Affairs to establish the necessary institutions all over the country for taking care of their education and training so they become self-independent and able to make their own living.

2. Social care

With regard to the deaf and mute, Decree No. 40 dated 20 January 1970, guaranteed the establishment of special institutions provided with trained staff to take care of their education and to offer them the necessary assistance to enable them to find appropriate jobs. Moreover, these institutions provide full boarding for those whose circumstances do not permit them to live outside the institution. Apart from the institutions established by the State, there are many others related to private associations and establishments. This sort of institution obtains annual financial support from the Ministry of Labour and Social Affairs.

As far as handicapped persons are concerned, Decree No. 54 issued on 26 January 1970, arranged the establishment of professional training centres and gave them the task of providing medical services, including the necessary artificial limbs and medical compensating instruments in order to enable handicapped persons to regain their capacity to carry out their original tasks or any other kind of work convenient for their situation. It is the duty of those in charge of the centres to ensure to the handicapped education, training and financial support and to guide them to the appropriate professions.

3. Organizing popular social activities

In the field of peasantry syndicated organization, the Syrian legislation issued Decree No. 253 of 1969 with the following goals:

(a) Transforming the peasantry from individual interest and other ill-founded relationships, such as tribal, sectarianist and regional, into new co-operative organized relationships;

/...

(b) Diverting the peasantry from the outskirts of public life into the socialist, liberal and national struggle along with the proletariat in the cities, soldiers, revolutionary educated and craftsmen;

(c) Enabling the peasantry organization of achieving the agricultural revolution by means of adopting and implementing the use of modern agricultural technology;

(d) Reiterating that the basic and fundamental goal of the peasantry struggle in the countryside is the application of modern agricultural techniques, as well as understanding and absorbing the modern progressive laws and plans leading to achieve an agricultural revolution within a genuine socialist transformation from a state of individual agricultural economy to co-operative socialist economy. This in turn will ultimately project a revolutionary solution to the problem of agriculture.

The effects of this Decree have been as follows:

(a) Realization of an organized peasant revolution, while at the same time including the working peasantry in a united homogenous class in order to protect their interests and secure their rights and raise their standards in the economic, cultural, social and health fields. This would be achieved through the fulfilment of the tasks undertaken by the organized peasant syndicate;

(b) Establishment of a link between the national struggle for liberation and unity and the class struggle for building up socialism and achieving the goals of the Arabic Nation as far as unity, freedom and socialism are concerned;

(c) Elimination of the old, backward and primitive means used in agricultural production with creating a modern developed agricultural production;

(d) Dissemination and strengthening of agricultural co-operation.

In the field of peasantry education, the Government issued Decree No. 103 in 1969 which established peasantry institutions taking into consideration the following goals:

(a) To promote literacy programmes for the peasants at the national and social levels;

(b) To disseminate the peasantry culture and agricultural sciences;

(c) To examine the agricultural experiment technically and legally;

(d) To promote the spirit of group and collective work and professional and co-operative organizations;

(e) To prepare literate peasantry leaderships capable of undertaking the responsibility of directing, guiding, awakening and implementing, as well as expressing the needs and will of the masses in regard with all matters.

/...

In this respect, the Central Institute of March and other training institutions have played a prominent role on the national level.

In another field of importance, in aiming at organizing women activities in the country, the Syrian legislation issued Decree No. 121 of 1967 for the establishment of the General Union of Women. This organization was able during the last few years, to reach and realize many great achievements such as establishing child care institutions, literacy programmes, professional training institutions, as well as providing other concerned sectors with basic and essential assistance.

4. Labour sector

In this field, the Syrian legislation issued a number of decrees on the following matters:

(a) Decree No. 206 of 1969 stipulated that the period of time allocated to the military service should be included into consideration when estimating the compensation for dismissal, retirement and promotion, as well as pension funds. While this procedure was only restricted to employees of the state agencies and public sector institutions, the new law extended this right to other employees covered by law of labour which is in operation in other state agencies and public companies and institutions;

(b) Decree No. 250 granted those with professions the right to form co-operative professional associations in order to protect and defend their interests. This decree also allowed these associations the right to establish a union in all districts of the country with its headquarters in Damascus;

(c) Decree No. 51 of 1970 granted all daily and weekly based workers a full pay for their weekly holidays;

(d) According to Decree No. 127 of 1970, all government and state employees, including those covered by the law of labour, shall share the same benefits in the rules of procedures with regard to dismissal actions, their causes and justifications;

(e) Monthly compensation for every member in the family increased from 12 Syrian pounds to 15 Syrian pounds. Legislative Decree No. 209 of 1970 was issued for that purpose;

(f) Legislative Decree No. 14 of 1971 was issued in order to grant all permanent workers in the different agencies and firms of the public sector, as well as the foreign companies and institutions, the right to enjoy full family compensation after one year of work;

(g) As far as the annual vacation, marriage vacation and personal leave resulting from a death in the family are concerned, the Syrian legislation issued

/...

Decree No. 41 of 1972 which adjusted article 58 of the law of labour and provided for all workers the right to have a proportional vacation in accordance with the time spent on the job even if it did not reach a full year. The Decree also granted the workers with only a six-month service a marriage vacation for four days, as well as three paid days in case of a death in the family.
