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THE WIDENING GAP

A study of the realization of economic, social
and cultural rights

by

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ANNEXES

- I. QUESTIONNAIRES
- II. STATUS OF INTERNATIONAL INSTRUMENTS RELATING TO ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Annex I

QUESTIONNAIRES

1. QUESTIONNAIRE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A. Population:

A.1. The population of the country in 1960 and 1970 grouped as follows:

		<u>Male</u>	<u>Female</u>
Age-group	0-5		
	6-11		
	12-18		
	19-25		
	25-65		

A.2. The population of the country by urban and rural areas in 1960 and 1970

A.3. The birth and death rate in 1960 and 1970

A.4. The rate of infantile death in 1960 and 1970

B. Manpower

B.1. The number of employed population by sectoral activities in 1960 and 1970 as given under:

	<u>1960</u>	<u>1970</u>
Agriculture		
Mining		
Industry		
Government		
Other services		

B.2. The rate of unemployment during the 11 years 1960-1970

B.3. The wage rate (per working hour in local currency) in different sectors to be given for male and female as under

	<u>Sector</u>	<u>Minimum</u>		<u>Average</u>		<u>Minimum</u>	
		M	F	M	F	M	F
	<u>Average</u>						
		M	F				

Agriculture
Industry
Mines
Government
Other services

- B.4. Are there workers' profit-sharing devices or shareholding by workers in your industries?
- B.5. Describe the existing unemployment security policy
- B.6. T The hours of work, duration of leisure time and holidays for different activity groups

C. Income and expenditure

- C.1. Group family income for urban and rural population based on the latest family budget surveys as follows:

<u>Percentage of families under each category</u>		
<u>High</u>	<u>Medium</u>	<u>Low</u>

Urban families

Rural families

- C.2. The average family expenditure in national currency to be given as follows:

Expenditure on

<u>Income groups</u>	<u>Food</u>	<u>Clothing</u>	<u>Housing</u>	<u>All others</u>
Urban				
High				
Medium				
Low				
<u>Rural</u>				
High				
Medium				
Low				

Define the income range for each category according to the prevailing standard in your country in national currency:

D. Social infrastructure

- D.1. The number of primary school students as divided by sex in 1960 and 1970
- D.2. The number of secondary school students as divided by sex in 1960 and 1970
- D.3. The number of students in technical and professional schools as divided by sex in 1960 and 1970
- D.4. The number of university students and graduates as divided by sex in 1960 and 1970

- D.5. The situation with regard to agricultural vocational education
- D.6. The number of hospital beds in 1960 and 1970 as divided between rural and urban areas
- D.7. The number of clinics in 1960 and 1970 as divided between rural and urban areas
- D.8. The number of doctors and nurses in 1960 and 1970 as divided between rural and urban areas
- D.9. Describe briefly social security regulations with respect to:
- Unemployment
 - Sickness
 - Disability
 - Widowhood
 - Old age
 - Other emergencies
- D.10.1 How are motherhood and childhood protected under your country's laws and practice?

E. Social institutions

- E.1. Name the existing trade unions with respective number of membership
- E.2. Specify the kinds of functions they perform
- E.3. Are trade-union objectives as they are being pursued compatible with higher employment?
- E.4. Name the number of official and non-official social institutions engaged in social security, charity and other social welfare functions, as well as the scope of their activities

F. GNP

Give the GNP statistics as divided into the following sectoral breakdown:

National currency - millions

1960

1970

Total GNP at market prices of which:

Agriculture

Industry

Mines

Government services

Other services

/...

G. Financial framework

- G.1. Give the public (federal) expenditure figures according to the following breakdown for 1960, 1965 and 1970

<u>National currency - millions</u>			
	<u>1960</u>	<u>1965</u>	<u>1970</u>
Total public expenditure of which:			
1. Education			
2. Public health			
3. Social security			
4. Defence			
5. Other expenditures			
	<u>1960</u>	<u>1965</u>	<u>1970</u>

Total public revenue of which:

1. Income and property tax
2. Social security contribution by employers
3. Social security contribution by workers
4. Other sources of revenue

- G.2 Give other financial resources and/or contributions made by other public, semi-public or private organizations or local authorities for education and social security programmes in 1970

<u>Contribution or expenditure</u>		<u>1970</u>	
<u>by: (organizations)</u>		<u>Education</u>	<u>Social security</u>

H. Land ownership

- H.1. What is the system of land ownership in your country?
- H.2. Do farmers own the land they till?
- H.3. Are there big landholding proprietors?

<u>Size</u>	<u>1960</u>		<u>1970</u>	
	<u>Max.</u>	<u>Min.</u>	<u>Max.</u>	<u>Min.</u>

J. Public activities at the rural level

- J.1 What is the share, allocated to rural areas of the following facilities and services:

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Public investment and
technical manpower

- a. Education
- b. Health
- c. Housing

J.2. Explain the technical training being given to the rural community

<u>Field</u>	<u>Number of trainees in 1970</u>
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J.3. Explain price stabilization policies (if any) adopted to secure minimum revenue for farmers

J.4. Explain any other policy affecting farmers' revenue and/or welfare

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2. QUESTIONNAIRE ON THE REALIZATION OF ECONOMIC, SOCIAL
AND CULTURAL RIGHTS IN SOCIALIST COUNTRIES

It is hoped that respondents will supply as much of the information asked for as possible, and in particular that the presence of questions which they find inappropriate or cannot answer will not deter them from answering those they can. It is inevitable that certain of the subjects explored should be more appropriate to some countries than to others. The answers given should be as detailed as respondents are able to make them, and any additional information which governments may wish to supply on related questions, not explicitly covered in this questionnaire, will be greatly appreciated and receive due attention in the final survey.

The substantive questions appear in Section III of the questionnaire and follow the major subdivisions of the outline of headings used in requesting information for periodic reports on human rights.

Whenever relevant and possible, the answer to the question in Section III should be supplemented by two types of formal reference: A reference (or references) to the legal or social dispositions (provisions, enactments, etc.) supporting the answer given, - described in Section I as the Basic Reference to Dispositions (BRD); and a reference (or references) to the published statistical or other material, if any, from which facts and figures are quoted (or may be obtained), - described in Section II as the Factual/Statistical Reference (FSR). The latter also includes references to books and/or articles of a descriptive or critical nature, and to research material on actual or desired standards not having the force of law.

Section I

§1. Method and Purpose

Respondents are asked to start by defining the corpus of Dispositions (Constitutional provisions, Declarations, Programmes or Plans, Legislative Acts, Administrative Orders, etc.) which they wish to draw upon in reporting on economic, social, and cultural rights in their respective countries. For each separate Disposition the definition should specify the Addressor (A), i.e. the issuing authority; the Addressee (B), i.e. the implementing authority; and the Instrument (C) i.e. the charter, law, or instruction, together with indications to facilitate the location of documentary evidence (D). It will be convenient to do this by giving each Disposition a Basic Reference (BRD) in the standardized form

A/B/C or A/B/C(D),

as will be exemplified below.

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Accordingly, in this first section of the Questionnaire respondents are asked to list and codify the main elements needed for this scheme, so that answers to the substantive questions in Section III can be provided with Basic References (BRDs) whenever this is relevant and possible.

The entries appearing in brackets in the present draft of Section I (§2) refer to the Soviet Union and are for purposes of illustration only.

Each country is asked to follow the suggested pattern as closely as possible, but to vary and supplement it in any way it considers necessary.

Entries requiring official nomenclature should be made in the original language followed, if possible, by their Russian, English or French equivalents in brackets.

Dispositions no longer in force and quoted for reasons of historic explanation or illustration should be quoted with a cross (+) or asterisk (*) after their BRDs.

§2. Suggested Pattern of BRD

Please list and codify the following, as far as relevant to economic, social, and cultural rights in your country:

A. Main authorities issuing declarations and/or guarantees of rights ("Addressors")

A1. Government Legislative Organs at National Level

A11 (Verkhovny Sovet SSSR (Supreme Soviet of the USSR))

A12 (Presidium Verkhovnogo Soveta SSSR (Praesidium of the Supreme Soviet of the USSR))

A13

A14

A2. Other Government Legislative Organs

A21 (Verkhovny Sovet Soyuznoy Respubliki (Supreme Soviet of a Union Republic))

A22

A3. Government Executive Organs at National Level

A31 (Sovet Ministrov SSSR (Council of Ministers of the USSR))

A32 (Ministerstve zdavookhraneniya SSSR (Ministry of Health of the USSR))

A33

/...

A4. Other Government Executive Organs

A41 (Sovet Ministrov Soyuznoy Respubliki (Council of Ministers of a Union Republic))

A42

A5. Judicial Organs

A51

A6. Organs of Ruling Party (or Parties) at National Level

A61 (S'ezd KPSS (Congress of the CPSU))

A62 (Tsentral'ny Komitet KPSS (Central Committee of the CPSU))

A63

A7. Other Organs of Ruling Party (or Parties)

A71

A8. Trade Union Organs

A81 (Vsesoyuzny Tsentralny Soviet Profsoyuzov (All-Union Central Council of Trade Unions))

A82

A9. Other Authorities

A91 (Vsesoyuzny S'ezd Kolkhoznikov (All-Union Congress of Collective Farmers))

B. Main Authorities called upon to implement and/or verify the implementation of rights ("Addressees")

BO. Code for universality, multiplicity, or indeterminacy of addressee.

B1. Government Organs

B11 (Ministerstvo sel'skogo khozyaystva SSSR (Ministry of Agriculture of the USSR))

B12

B2. Organs of Ruling Party (or Parties)

B21

B3. Trade Union Organs

B31

B32 (Fabrichno-zavodskoy, mestny komitet (Factory, Works, or Local Committee))

B33

/...

B4. Other organs

B41 (Administratsiya predpriyatii (Enterprise Administration))

B42

C. Main Instruments and Sources enjoining the Implementation of Rights

Please list dates and reference to publications, unless referring to periodical enactments whose dates are specified under D. Where alternative sources of equal importance exist, please list the one most readily available.

C0. Unwritten convention or usage

C1. Constitution and Constitutional Amendments

C11 (Constitution (Fundamental Law) of the USSR, of 5 December 1936, as amended by the Supreme Soviet of the USSR on 25 February 1947; English text published by Foreign Languages Publishing House, Moscow, 1947)

C12

C2. Resolutions, Programmes, and Plans

C21 (Program of the Communist Party of the Soviet Union, adopted by the 22nd Congress of the CPSU, 31 October 1961; English Text, Crosscurrents Press/New York, 1961)

C22

C3. Basic Laws, Codes, Charters, or Model Statutes

C31 (Osnovy zakonodadel'stva soyuza SSR i soyuznykh respublik o trude (Basic Labour Code of the USSR and Union Republics), 15 July 1970, see Vedomosti Verkhovnogo Soveta, No. 29 (1531), 22 July 1970)

C32 (Primerny Ustav Kolkhoza (model Collective Farm Charter), Postanovlenie TsK KPSS i Soveta Ministrov SSSR, 28 November 1969, see Pravda and Izvestia, 30 November 1969, p. 1.)

C33

C4. Specific Statutes and Laws

C41

C42

C5. Specific Instructions

C51

C52

C6. Other Instruments

C61

C62

D. Indication of Documentary Evidence

In the case of specific Statutes, Laws, or Ordinances issued periodically please give data of issue, unless incorporated in the Instrument or Source reference given under C.

In the case of voluminous sources please add number of article or other subdivision.

§3. Instructions for giving BRDs in connexion with answers under Section III of this questionnaire

The Basic References for any Disposition (BRDs) bearing on rights should be given in the following form:

A/B/C(D) or A/B/C, where C already includes sufficient indications of type D.

The following examples are given for purposes of illustration:

Entitlements to personal plots
for collective farmers:

92, 31, 61/42/32 (Arts. 42-44)

Normal length of the work week
for wage and salary workers:

11/0/31 (Arts. 21-33)

Housing plans:

62/0/21 (31 Oct. 1961), Part Two, II (b))

Section II

§1. Method and Purpose

In this section respondents are asked to list and codify all published reference material (other than Dispositions recorded in Section I) on which they wish to draw, or to which they wish to refer the compilers of the final survey, in reporting on economic, social, and cultural rights in their countries. This may be statistical material, whether official or not, reference works, reports, books, articles, or research findings of a descriptive, critical, or normative nature (i.e. referring to desirable standards).

In answer to questions in Section III respondents should, wherever relevant and possible, quote a supporting Factual/Statistical Reference (FSR) as an array of figures in round brackets preceded by the letter R, e.g. R(1.2/256) or R(3.15/25.371), where the figures after the oblique stroke (/) refer to page numbers.

Respondents should supply a list of references in accordance with the scheme below, quoting publishing house and place and date of publication in each

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case, and beginning with the name of the author or publishing authority. The bracketed entries below refer to the Soviet Union and are for purposes of illustration only.

§2. Suggested Pattern of FSR

Please list and codify the following, as far as relevant to economic, social, and cultural rights in your country:

1. Official statements, publications or reports by government or ruling party organ at National Level
 - 1.1 (Tsentral'noe Statisticheskoye Upravlenie SSSR, "Narodnoye Khozyaystvo SSSR v 1969 godu", Izd. "Statistika", Moskva 1970)
 - 1.2
 - 1.3
2. Official statements, publications or reports by government or ruling party organ at other level
 - 2.1 (Tsentral'noe Statisticheskoye Upravlenie pri Sovete Ministrov RSFSR, "Narodnoye Khozyaystvo RSFSR v 1969 godu", Statistika, Moskva 1970)
 - 2.2
3. Official statements, publications or reports by authorities, public associations, etc. not acting as organs of government or the ruling party
 - 3.1
 - 3.2
 - 3.3
4. Official statements, publications, or reports by international organs based on information supplied by the authorities of your country or on independent research
 - 4.1 (World Health Organization, "World Health Statistics Annual 1967", Volume III, Geneva 1970)
 - 4.2
 - 4.3
5. Non-official statements, publications, or reports published for purposes of reference or general systematic information at home or abroad
 - 5.1 (S. G. Strumilin (ed.), "Ekonomicheskaya Zhizn SSSR 1917-1959", Izd. "Sovetskaya Entsiklopediya", Moskva 1961)
 - 5.2 (Collective Authorship, "USSR, Questions and Answers 1917-1967", Novosti Press Agency Publishing House, Moscow, No date)
 - 5.3

6. Non-official statements, publications, or reports published on special subjects in book form

6.1 (A. L. Maksimov, "perevod rabochikh i sluzhashchikh promyshlennykh predpriyatii SSSR na sokrashchenny rabochy den'", Izd. "Nauka", Moskva 1965)

6.2

6.3

7. References to articles in journals and periodicals

7.1 (S. Shkurko, "Voprosy stimulirovaniya proizvoditel'nosti truda", in Planovoye Khozyaystvo, 1971, No. 8, p. 10)

7.2

8. References to articles, statements, or reports in newspapers

8.1

8.2

9. Other References

9.1

9.2

§3. Instructions for giving FSRs in connexion with answers under Section III of this questionnaire

The Factual/Statistical References (FSRs) bearing on rights should be given in the form of the capital letter R followed by the code-number of §2 in round brackets, with page numbers separated by an oblique stroke, e.g.

Number of hospital beds per 10 thousand of population.	R(1.1/732)
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Average monthly earnings of wage and salary earners in the RSFSR	R(2.1/316)
---	------------

Number of nurses per 10 thousand population	R(4.1/54)
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Pensioners' right to work	R(5.2/340)
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Section III

Please answer questions as fully as possible, giving BRDs (see Section I) and FSRs (see Section II) wherever relevant and available.

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The expression "break-down into social sectors" implies the request for separate information on (a) over-all national conditions, (b) conditions in the State sector, (c) conditions in the co-operative sector, (d) conditions in the private sector, if any, and (e) conditions in any other social sector of relevance.

The expression "at the present time", "current", or "present" implies the request for information on the latest period or date for which such information is available.

A. The Right to Work

Please give BRDs and FSRs wherever relevant and possible.

- Al.1 Give Basic References to Dispositions containing declarations and/or guarantees of this and related rights, as in force at present and at selected historical junctures (with crosses or asterisks if superseded).
- Al.2 What provision is made for careers counselling and information on available jobs (i) for school-leavers (ii) for others entering the labour force for the first time?
- Al.3 List the chief methods of securing employment for new entrants to the labour force in enterprises, institutions or co-operatives broken down by social sector, giving - if possible - figures for recruitment through each method in a typical year.
- Al.4 List the circumstances in which employers/co-operatives are entitled to refuse employment/membership to a new applicant (broken down by social sector).
- Al.5 What safeguards ensure the right of individuals to leave their jobs if they wish to do so, after due notice (specify period), in each of the social sectors?
- Al.6 List the circumstances in which individuals are under an obligation to complete prescribed periods of service in designated jobs, enterprises, or localities.
- Al.7 List any losses of privileges or entitlements imposed on individuals leaving their jobs voluntarily after due notice.
- Al.8 List any occupations in which full-time self-employment (with family help) may be permissible, and the facilities available to follow such occupations if desired. Give numbers and trends (with and without family members) in recent typical years.
- Al.9 What limitations exist on maximum holding of plots of land, farm animals, and farm buildings for individual households (i) within producer co-operatives (ii) outside producer co-operatives?

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- Al.10 What are the minimal work requirements on communal tasks for members of producer co-operatives to retain their entitlement under Al.10?
- Al.11 In what circumstances are citizens permitted to seek or take up temporary employment in a foreign country while retaining the right to return? What are the rights of their dependents during the bread-winner's absence abroad?
- Al.12 Specify the circumstances in which employers/co-operatives are entitled to dismiss/expel individuals (in each social sector).
- Al.13 List the chief methods of securing employment for those who change their jobs (i) voluntarily, (ii) when dismissed without culpability on their part (e.g. redundancy), (iii) when culpably dismissed.
- Al.14 Give current figures on the degree of labour mobility (ratio of annual hirings and/or departures from enterprises to average work-force of the same enterprises) (i) in the social sectors as a whole, (ii) in the industries most seriously affected, (iii) in the localities most seriously affected.
- Al.15 Specify any penalties, losses of privilege or entitlements imposed on those who change their jobs voluntarily more than a specified number of times in a given period.
- Al.16 Specify any impediments to entry or residence in particular localities for individuals in search of employment there.
- Al.17 What special provisions, if any, apply to job assignment for members of particular social or political associations?
- A2.1 By what methods are a worker's qualifications, skill-category, and status (for wage-payments and other entitlements) determined and recorded? (Please break down by social sector.)
- A2.2 List the reasons entitling employers/co-operatives to change the (i) type of job, (ii) work-place, (iii) pay category of a worker without his consent.
- A2.3 In what circumstances and by what methods can employers/co-operatives take disciplinary methods (short of dismissal) against individual workers/members?
- A2.4 Indicate any statutory obligation on employers/co-operatives to transfer workers/members to lighter work (with or without loss of earnings) in specific cases (e.g. pregnancy, disability, study, etc.)

- A3.1 What financial provisions exist, and under what conditions, for the support of workers unable to find jobs of a type, status, or in a location consistent with their reasonable expectations?
- A3.2 What is the maximum period between jobs during which (i) the support under A3.1 can continue, (ii) a worker's entitlements to various benefits are preserved?
- A3.3 List any organs or institutions set up for intermediation between employing authorities and job-seekers, and state the conditions on which their services are available to either party.
- A3.4 Give the current numbers receiving or entitled to support under A3.1, (i) in particular sectors of the economy most seriously affected, (ii) in particular localities most seriously affected, (iii) in the country as a whole.
- A4.1 List the legal minimum/guaranteed monthly wages payable, the date of their introduction, and previous levels at selected historical junctures, distinguishing different social sectors and, if relevant, urban and rural areas.
- A4.2 What proportion of wage-earners are (and were) paid at legal minimum/guaranteed wage-rates at the present time, and what percentage were paid less than this when the level was last raised? Please distinguish the social sectors, if possible.
- A4.3 List the average monthly wage/earnings of workers, excluding collective benefits, at the present time and at selected historical junctures, broken down by social sector.
- A4.4 Indicate the percentage of wage/income-earners receiving more than the averages listed under A4.3 in the country as a whole and in each social sector.
- A4.5 Indicate the percentage of individual earnings received independently of collective performance (e.g. of the profits of an enterprise or farm), and the percentage received in the line of participation in profits or other collective revenues (broken down by social sector).
- A4.6 What governs the distribution among individual workers/members of the collective profits or revenues earmarked for such distribution?
- A4.7 List the deductions made from individual wages/earnings for purposes of (i) direct taxation, (ii) social insurance contributions, (iii) subscriptions to State or other loans, (iv) other requirements, and indicate their normal levels in relation to average wages/incomes.

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- A4.8 Give the result of any scientific investigation into the monthly cost per person (or household) of sustaining life at a minimal/normal level consistent with health, (i) in urban areas, (ii) in rural areas.
- A5.1 List the provisions ensuring equal employment and earning opportunities for men and women, or any differentials which may be legitimately applied.
- A6.1 List the legal maxima of working hours per day, working days per week, and working days per year (i.e. statutory paid holidays) permitted in full-time employment in each of the social sectors, and indicate statutory exceptions to this (e.g. women, adolescents, etc.).
- A6.2 Give the result of any study on time-budgets of workers/farmers, showing average time spent by men and women on work, travel to and from work, household chores, etc.
- A6.3 State the average number per household of (i) full-time workers, (ii) women, (iii) dependent non-working adults, (iv) dependent non-working children distinguishing, if possible, between urban and rural areas.
- A7.1 Indicate the provision for unionization of workers or other representation allowed in defence of workers' interests, (i) in the State sector, (ii) in the co-operative sector, (iii) in the private sector.
- A7.2 To what extent does the individual worker have a choice between alternative trade unions or other social organizations set up to defend his interests?
- A8.1 Is the right to strike (i) explicitly recognized, (ii) explicitly denied by law?

B. The Right to Social Security

Please give BRDs and FSRs wherever relevant and possible.

- B1. Give Basic References to Dispositions containing declarations and/or guarantees of this right, as in force at present and at selected historical junctures (with crosses or asterisks if superseded).
- B2. List the main types of pensions, allowances, and other benefits available to workers or former workers in each of the social sectors and/or their families.
- B3. Indicate the age of retirement at which State or other retirement pensions become available, and any provision for voluntary continuance of work beyond that age (with total or partial loss of pension). What are the minimal qualifications (length of service etc.) required?

- B4. Indicate any legal minima and/or maxima of monthly retirement pensions, the date of their introduction, and their previous levels at selected historical junctures. Please distinguish between social sectors, and between urban and rural areas where relevant.
- B5. What percentage of old age (retirement) pensioners receive pensions at the legal minimum rate at the present time, and what percentage received pensions below this when the minimum was last raised?
- B6. List the average monthly retirement pension paid to pensioners at the present time and at selected historical junctures.
- B7. Indicate the percentage of non-working persons over retirement age who are not in receipt of retirement pensions (or full retirement pensions) at the present time.
- B8. Indicate the provisions entitling persons to pensions for permanent disability or temporary incapacity, broken down by social sector.
- B9. Indicate the provisions entitling persons to pensions or allowances for the loss of a breadwinner.
- B10. Indicate any provision for personal pensions, allowances, or subsidies to persons without livelihood falling outside the purview of legal entitlements.

C. The Right to an Adequate Standard of Living

- C1. Report any figures for average monthly household income, household size, and monthly expenditure, that may be available from family budget or other data (broken down by social sector and urban/rural areas). Please indicate size and composition of the sample.
- C2. Report any available figures for monthly income and expenditure of "lower-income households", indicating the percentage of households living below that standard (lower quartile, lower decile, etc.). If possible, please break down by social sector and urban/rural areas.
- C3. Give the result of any scientific investigation into the monthly cost per average-size household of sustaining life at a minimum/normal level consistent with health (broken down by urban/rural areas, if possible).
- C4. Give available monthly or annual figures per person or household of consumption of basic foods, in physical or caloric units (broken down by social sector).
- C5. Give the result of any scientific investigation into per capita or household food consumption required to sustain a minimum/normal standard of health.

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- C6. Indicate the size of the total stock of housing (in floor space and/or living space) available at the present time (i) in urban areas, (ii) in rural areas.
- C7. Indicate the floor space and/or living space of housing available per person at the present time (i) in urban areas, (ii) in rural areas.
- C8. Give the result of any scientific investigation or social norming of minimal/desirable standards of floor space or living space per person or household.
- C9. To what extent are flats (apartments) intended for occupancy by single households at present in joint occupancy by more than one household?
- C10. How is housing allocated to families/households (i) in urban areas, (ii) in rural areas?
- C11. Give average proportions of incomes spent by household on rental payments (i) in urban areas, (ii) in rural areas, and the extent of subsidies for rents, if any.
- C12. What proportion of flats (apartments) are supplied with gas or electricity for heating, lighting, and cooking (i) in urban areas, (ii) in rural areas?
- C13. List the number and occupancy (number of inmates) of homes or establishments for (i) children without family attachments, (ii) children in need of public care for other reasons, (iii) aged people.
- C14. Indicate the growth rate in (i) nominal earnings, (ii) real earnings per head of the fully employed population between selected historical dates and the present (broken down by social sector).
- C15. Indicate the growth rates in per capita consumption of major categories of food (in physical units and/or calories) between selected historical dates and the present (broken down by social sector and, if possible, distinguishing urban and rural areas).

D. The Right to the Enjoyment of the Highest Attainable Standards of Health

Please give BRDs and FSRs wherever relevant and possible.

- D1. Give Basic References to Dispositions containing declarations and/or guarantees of this right, as in force at the present time and at selected historical junctures (with crosses or asterisks if superseded).
- D2. Give figures showing the progress made in (i) infant-mortality rates, (ii) still-birth rates between selected historical dates and the present.

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- D3. Give figures showing the number of beds in maternity and gynaecological wards, and the total number of live births in the country, at selected historical dates and at present.
- D4. Indicate the number and capacity of medical care and counselling units (advice centres, welfare clinics, etc.) for mothers and their children (i) in urban areas, (ii) in rural areas.
- D5. Explain the provision made for on-the-job medical care and hygiene for workers (broken down by social sector).
- D6. What provisions are made for the control of epidemic, endemic and occupational diseases?
- D7. What proportion of the cost of medical services rendered to individuals is (i) borne by the user directly, (ii) borne by the State or other collectives without direct contributions from individuals, (iii) borne by the State or other collectives out of compulsory contributions from individuals?
- D8. Are medical services available to individuals in need of them regardless of ability to pay?
- D9. Give the number of beds in general and specialized hospitals per 10 thousand of the population at present, and at selected historical dates. How many of these are (i) in general hospitals, (ii) in children's hospitals or children's departments of other hospitals, (iii) in mental hospitals?
- D10. Give the number of fully-trained doctors (physicians) per 10 thousand of population at present and at selected historical dates.
- D11. Indicate the minimum and the average length of full-time medical training of those classified as fully-trained doctors (physicians).
- D12. Give the average monthly earnings of fully-trained doctors (i) in urban areas, (ii) in rural areas.
- D13. Give the number of medical and nursing personnel per 10 thousand population in broad categories below the level of fully-trained physicians, indicating the minimum and average length of the medical training period, and average monthly earnings in each case.
- D14. What proportion of the cost of medicines are borne by individual users, and what provisions exist to help individuals unable to pay?
- D15. Give the proportion of women among fully-trained doctors and other categories of medical personnel.

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E. The Right of the Family, Motherhood, and Childhood to Protection and Assistance

Please give BRDs and FSRs wherever relevant and possible.

- E1. Give Basic References to Dispositions containing declarations and/or guarantees of this right, as in force at the present time and at selected historical junctures (with crosses or asterisks if superseded).
- E2. What is the statutory length of maternity leave on full or reduced pay, and what other entitlements (extra leave, lighter work) may be claimed by working women during pregnancy, childbirth, and the nursing period (broken down by social sector)?
- E3. What lump-sum and/or periodic payments are made to women in respect of the birth and/or upbringing of children, and how are these related to the number of children?
- E4. What lump-sum and/or periodic payments are made to unmarried mothers in respect of the birth and/or upbringing of children, and how are these related to the number of children?
- E5. What percentage of women between 18 and retiring age are in full-time employment?
- E6. What proportion of women with one or more children under school-age are in full-time employment?
- E7. What proportion of children under school-age are placed in crèches, day-nurseries, or kindergartens?
- E8. What restrictions apply to the employment of minors under designated age limits?
- E9. What privileges in the matter of working hours, conditions of work, paid or unpaid holidays, study time, and pay, are granted to young people under designated age limits (broken down by social sector)?

F. The Right to Education

Please give BRDs and FSRs wherever relevant and possible.

- F1. Give Basic References to Dispositions containing declarations and/or guarantees of this right, as in force at the present time and at selected historical junctures (with crosses or asterisks if superseded).
- F2. Give the number of full-time pre-school establishments (crèches, day-time nurseries, kindergartens) and the number of children's places in them, distinguishing, if possible the age-groups involved in each case.

- F3. What are the charges made to parents for full-time care and education in these establishments?
- F4. What is the age for normal entry into primary (or elementary) education, and its normal duration?
- F5. What proportion of children of the relevant age group are in full-time primary (or elementary) education (i) in urban areas, (ii) in rural areas?
- F6. What proportion of the cost of primary (or elementary) education is borne directly by parental contributions, and what provisions apply in cases of inability or unwillingness to pay?
- F7. What is the age for normal entry into secondary (post-primary) education, and its normal duration?
- F8. What proportion of children of the relevant age group are in full-time secondary (post-primary) education (i) in urban areas, (ii) in rural areas?
- F9. How are primary-school leavers selected for secondary education?
- F10. What proportion of the cost of secondary education is borne by direct parental contributions, and what provisions apply in cases of inability or unwillingness to pay?
- F11. What is the age for normal entry into, and average duration of (i) technical-vocational (post-secondary education), (ii) higher education?
- F12. How are secondary school-leavers and others selected for (i) technical-vocational, (ii) higher education?
- F13. Give the number of full-time teachers, their average pay, and, if possible, the proportion of women teachers in
- (i) Pre-school education
 - (ii) Primary education
 - (iii) Secondary education
 - (iv) Technical-vocational education
 - (v) Higher education.
- F14. What proportion of the cost of (i) technical-vocational, (ii) higher education is borne by direct contributions from parents or students, and what provisions apply in cases of inability or unwillingness to pay?
- F15. What proportion of the present population (distinguishing between men and women) between 26 and 60 (or retiring age) have completed
- (i) primary education and no more
 - (ii) secondary education and no more
 - (iii) technical-vocational education and no more
 - (iv) higher education?

3. QUESTIONNAIRE ON THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS
IN THE DEVELOPING COUNTRIES OF AFRICA, ASIA AND LATIN AMERICA

The purpose of this questionnaire is twofold: (a) to collect the latest data on the state of progress of each member country in Africa, Asia and Latin America towards the realization of fundamental human rights, and (b) to make an assessment of the social and legal guarantees and sanctions in the following fields:

The right to work;

The right to social security, including social insurance;

The right to an adequate standard of living;

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

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

The right to education;

The right to participate freely in cultural life.

In conformity with its dual purpose, the questionnaire is divided into two sections, on the State of Progress and on Social and Legal Guarantees and Sanctions.

Each section is provided with a set of questions that Member States are urged to complete to the best of their knowledge and ability. It is inevitable that certain categories should be more appropriate to some countries than to others. It is also possible that some categories appropriate to some countries may have been left out. In either case, the Special Rapporteur hopes that the respondents would not hesitate to indicate the special conditions and supply whatever information is considered important to a valid assessment of conditions in the country concerned. The respondents' assistance in this matter will be greatly appreciated, and the information they supply will receive due attention in the final survey.

Section 1. The state of progress

<u>1.1. Population:</u>	<u>1960</u>	<u>1970</u>
1.1.1. Total population		
Female		
1.1.2. Rate of Growth		
1.1.3. Density		
1.1.4. Rural population		
1.1.5. Nomadic population		
1.1.6. Major Ethnic Groups in percentages		
1.1.7. Major religious groups in percentages		
1.1.8. Major racial groups in percentages		
1.1.9. Major linguistic groups in percentages		
1.1.10. Age structure	<u>Total</u>	<u>Female</u>
0-4		
5-14		
15-24		
25-59		
60-over		
1.1.11. Birth rate		
1.1.12. Death rate		
1.1.13. Rate of increase in urbanization		
1.1.14. External migration		
1.1.15. References and Comments		
<u>1.2. National Income Consumption and Growth:</u>		
1.2.1. National Produce (two columns 1960 and 1970)		
1.2.2. Average Growth Rate		
1.2.3. <u>Per capita</u> GNP		
1.2.4. Average Growth Rate		

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1.2.5. National Income Distribution (preferably in terms of what percentage of of population receives what percentage of national income)

1.2.6. Per capita consumption of textile materials

1.2.7. Per capita consumption of meat

1.2.8. Per capita consumption of electricity

1.2.9. Per capita consumption of food grains and substitutes

1.2.10. Per capita consumption of shoes

1.2.11. Per capita consumption of vegetables and dairy products

1.2.12. References and Comments

1.3. Manpower and Employment:

Labour force as percentage of population

Labour force composition by age and sex

Labour force participation rates by age and sex

Labour force, total, employed, unemployed, employment by sectors:

industrial and mining

agricultural (including forestry, fishery and animal husbandry)

services

under-employment (estimate)

Distribution of employment by key occupations* per different social groups (racial and ethnic)

1.4. Education:

1.4.1. Literacy rate

1.4.2. Enrolment ratios in primary schools:

for total population in the age group

for female population in the age group

1.4.3. Enrolment ratios in secondary schools:

for total respective age group (divided by academic, technical and vocational education)

for female population in the respective age group (divided by academic, technical and vocational education)

1.4.4. Enrolment ratios in Institutes of higher education:

for total population in the respective age group

for female population in the respective age group

1.4.5. Total expenditure on education as percentage of GNP

* Use ILO classification with one digit number.

- 1.4.6. Public expenditure on education as percentage of total government budget
- 1.4.7. References and Comments

1.5. Public Health and Medical Facilities:

1960 1970

- 1.5.1. Infant mortality rates
- 1.5.2. Life expectancy
- 1.5.3. Major causes of mortality: if possible list
malnutrition and various types of diseases
- 1.5.4. Population per doctor
- 1.5.5. Distribution of doctors in country
- 1.5.6. Population per nurse
- 1.5.7. Distribution of nurses in country
- 1.5.8. Hospital bed per 10,000 population: public, private
- 1.5.9. Distribution of hospitals and clinics in country
- 1.5.10. Conditions of free medical care
 - In public hospitals and clinics
 - In private hospitals and clinics
- 1.5.11. Number of pre-natal centres
- 1.5.12. Number of child-care centres
- 1.5.13. Environmental health
 - Per cent of population using sanitary water (including piped water and public fountains) by rural and urban dwellers.
 - Per cent of population using sewerage system and/or septic tanks or cesspools by rural and urban dwellers
- 1.5.14. Per cent of population without toilet facilities
- 1.5.15. Total expenditures on health as a percentage of GNP
- 1.5.16. Government expenditures on health as a percentage of total budget
- 1.5.17. Per capita expenditures on health (in U.S. dollars)
- 1.5.18. Per capita calorie intake
- 1.5.19. Incidence of death as a result of malnutrition
 - epidemic diseases,
 - endemic diseases,
 - occupational diseases, as a per cent of the total deaths

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1.5.20. Types of hospital beds in percentage to total:

children's

general

mental

1.5.21. Annual number of graduates of medical schools

1.5.22. Annual number of graduates of nursing schools

1.5.23. References and Comments

1.6. Housing, Community and Cultural Facilities:

1960

1970

1.6.1. Average size of family

1.6.2. Total dwelling units

1.6.3. Per capita dwelling size (in square metres)

1.6.4. Residential building types by percentages

apartments

row houses

private detached houses

others

1.6.5. Construction types in percentages

1.6.6. Main building materials in percentages

mud-brick

concrete block

reinforced concrete

steel, stone, cement

wood

others

1.6.7. Availability of utilities and services in percentages

electricity

telephone

bath room

toilets

1.6.8. Availability of community services per 10,000 population

religious centres

cultural and social centres

libraries, theatres

health centres

recreational facilities

1.6.9. Reference and Comments

1.6.10. Availability of mass media:

number of books annually published per 10 thousand

number of radio sets per 10 thousand

number of newspaper circulation per 10 thousand

number of magazine circulation per 10 thousand

number of television sets per 10 thousand

Section 2. Social legal guarantees and sanctions

2.1. The right to work:

2.1.1. Minimum legal employment age

2.1.2. Minimum national or regional legal wage per hour

2.1.3. Maximum legal working hours per week

2.1.4. Minimum legal holidays with pay per year

2.1.5. Legal conditions of work permits

2.1.6. Conditions of dismissal from work

2.1.7. Conditions of organization and powers of trade unions

2.1.8. Conditions of membership in the trade unions of one's choice

2.1.9. Conditions of affiliation of trade unions to political parties

2.1.10. Conditions of determination of an employee's status and pay

in private sector

in public sector

2.1.11. Conditions of the exercise of the right to strike

2.1.12. Conditions of the right to collective bargaining

2.1.13. Conditions of refusal of employment to new entrants to the labour market

2.1.14. Conditions of transfer from one job to another after due notice (specify period)

2.1.15. Legal guarantees of equal opportunities in employment for men and women and equal pay for equal work

2.1.16. Statutory obligations of employers/co-operatives to transfer workers/members lighter work (with or without loss of earnings) in specific cases (e.g. pregnancy, disability, study, etc.)

2.1.17. Conditions for technical and vocational guidance and training provided for individuals seeking employment

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- 2.1.18. Conditions of work, environment in terms of the availability of clinical services, health facilities and safety precautions
- 2.1.19. List all references to laws, decrees, proclamations, etc. pertinent to the above questions

2.2. The right to Social Security:

- 2.2.1. List the main types of pensions, allowances and other benefits legally available to employees
- 2.2.2. Legal retirement age, length of service, and possibilities for extension of service beyond the retirement age
 - public sector
 - private sector
- 2.2.3. Legal requirements for unemployment insurance compensation
 - public sector
 - private sector
- 2.2.4. Legal requirements for social security payments
 - public sector
 - private sector
- 2.2.5. Legal requirements for employee's compensation in case of disability
 - public sector
 - private sector
- 2.2.6. Legal requirements for additional pay for additional dependents
- 2.2.7. Legal requirements for life insurance against accidental death
- 2.2.8. List any legal requirements for profit-sharing schemes for workers

2.3. The Right to an Adequate Standard of Living:

- 2.3.1. Describe policies and programmes adopted by the government guaranteeing minimum food, clothing and housing for the low income group of the population, including subsidized food and housing programmes. Mention what has been achieved so far as well as any international assistance being received for those purposes.
- 2.3.2. Describe any agrarian reform which has taken place or in the course of implementation or the situation with regard to land ownership in the country
- 2.3.3. Describe legal conditions governing land ownership in agricultural sector and the rest of the economy
- 2.3.4. Result of any scientific findings on the monthly cost per person (or household) of sustaining life at a minimal normal level consistent with health, (i) in urban areas, (ii) in rural areas

2.5. The rights of the family, motherhood, and childhood to protection and assistance

- 2.5.1. Statutory length of maternity leave on full or reduced pay, and other entitlements for pregnancy, childbirth and the nursing period
- 2.5.2. Legal compensations for childbirth, schooling of children
- 2.5.3. Legal compensations to unmarried women and families without a breadwinner
- 2.5.4. Social and legal provisions for pre-school children of working mothers
- 2.5.5. List all references to laws, decrees, proclamations pertinent to the above questions

2.6. The Right to Education:

- 2.6.1. Is the right to free universal education recognized by law, and up to what age or grade?
- 2.6.2. What are the entrance requirements to primary schools? What is the total number of primary schools (1-6 grades) attendants in the country? What per cent are girls?
- 2.6.3. What are the entrance requirements to secondary schools?
What is the total number of secondary schools (7-12 grades) attendants in the country? What per cent are girls?
- 2.6.4. What are the entrance requirements to institutions of higher learning and what is the total number of university students at present: what per cent in sciences and what per cent in arts? How many in medical schools?
- 2.6.5. What are the entrance requirements to technical-vocational schools and what is the total number of enrolments in these schools at present?
- 2.6.6. What are the present total number of primary school teachers in the country?
- 2.6.7. What are the present total number of secondary school teachers in the country?
- 2.6.8. List all references to laws, decrees, proclamations, etc. pertinent to the above questions.

2.7. The Right to Participate Freely in Cultural life:

- 2.7.1. Are ethnic and religious minorities allowed to have their own schools, newspapers, associations, etc.?
- 2.7.2. Is the teaching of state religion (if any) compulsory in the public schools?
- 2.7.3. Do the ethnic schools (if any) correspond to the size of the ethnic minorities?

- 2.7.4. Is there in practice or by law or both any form of caste system operating in the country?
- 2.7.5. What are the legal qualifications for membership in the civil and military services?
- 2.7.6. Does the government encourage the propagation of a certain language, religion or cultural tradition? If so, why?
- 2.7.7. Is the equality of all citizens regardless of their race, religion or ethnic origin recognized by law?
- 2.7.8. Are state funds for cultural activities divided proportionately among different constituent ethnic groups?
- 2.7.9. List all references to laws, decrees, proclamations, etc. pertinent to the above questions.

2.8. Public Expenditures by Major Sectors (percentages)

1960 1970

Development

Housing

Education

Health

Social Security

Roads and Communications

Other services

Defence

Reference and Comments

Annex II

STATUS OF INTERNATIONAL INSTRUMENTS RELATING TO ECONOMIC, SOCIAL AND
CULTURAL RIGHTS

(Ratifications and accessions as of 31 December 1972)

Number of
Ratifications
or accessions

United Nations

International Covenant on Economic, Social and Cultural Rights, 1966	18
International Convention on the Elimination of All Forms of Racial Discrimination, 1965	71

International Labour Organisation (ILO)^{a/}

Convention
No.

1. Hours of Work (Industry), 1919	35
10. Minimum Age (Agriculture), 1921	41
14. Weekly Rest (Industry), 1921	80
15. Minimum Age (Trimmers and Stokers), 1921	61
16. Medical Examination of Young Persons (Sea), 1921	59
20. Night Work (Bakeries), 1925	15
24. Sickness Insurance (Industry), 1927	22
25. Sickness Insurance (Agriculture), 1927	17
26. Minimum Wage Fixing Machinery, 1928	80
27. Marking of Weight (Packages Transported by Vessels), 1929	49
29. Forced Labour, 1930	106
30. Hours of Work (Commerce and Offices), 1930	23
32. Protection Against Accidents (Dockers) (Revised), 1932	36 (x)
43. Sheet-Glass Works, 1934	10
44. Unemployment Provision, 1934	14
46. Hours of Work (Coal Mines) (Revised), 1935	2 (x)
47. Forty-Hour Week, 1935	5
49. Reduction of Hours of Work (Glass-Bottle Works), 1935	7
51. Reduction of Hours of Work (Public Works), 1936	-- (x)

^{a/} The indication (x) against an ILO Convention means that it was not in force as of 31 December 1972.

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<u>Convention No.</u>	<u>Number of ratifications or accessions</u>
52. Holidays with Pay, 1936	48
55. Shipowners' Liability (Sick and Injured Seamen), 1936	12
56. Sickness Insurance (Sea), 1936	12
58. Minimum Age (Sea) (Revised), 1936	45
59. Minimum Age (Industry) (Revised), 1937	30
60. Minimum Age (Non-Industrial Employment) (Revised), 1937	11
61. Reduction of Hours of Work (Textiles), 1937	-- (x)
62. Safety Provisions (Building), 1937	33
67. Hours of Work and Rest Periods (Road Transport), 1939	4
68. Food and Catering (Ships' Crews), 1946	16
70. Social Security (Seafarers), 1946	6 (x)
76. Wages, Hours of Work and Manning (Sea), 1946	1 (x)
77. Medical Examination of Young Persons (Industry), 1946	25
78. Medical Examination of Young Persons (Non-Industrial Occupations), 1946	24
79. Night Work of Young Persons (Non-Industrial Occupations) 1946	16
81. Labour Inspection, 1947	78
82. Social Policy (Non-Metropolitan Territories), 1947	4
87. Freedom of Association and Protection of the Right to Organize, 1948	78
88. Employment Service, 1948	51
90. Night Work of Young Persons (Industry) (Revised), 1948	36
91. Paid Vacations (Seafarers) (Revised), 1949	18
93. Wages, Hours of Work and Manning (Sea) (Revised), 1949	5 (x)
94. Labour Clauses (Public Contracts), 1949	45
95. Protection of Wages, 1949	68
98. Right to Organize and Collective Bargaining, 1949	91
99. Minimum Wage Fixing Machinery (Agriculture), 1951	38
100. Equal Remuneration, 1951	76
101. Holidays with Pay (Agriculture), 1952	38
102. Social Security (Minimum Standards), 1952	22
103. Maternity Protection (Revised), 1952	14
105. Abolition of Forced Labour, 1957	90
106. Weekly Rest (Commerce and Offices), 1957	34
107. Indigenous and Tribal Populations, 1957	25
109. Wages, Hours of Work and Manning (Sea) (Revised), 1958	6 (x)
110. Plantations, 1958	9
111. Discrimination (Employment and Occupation), 1958	78
112. Minimum Age (Fishermen), 1959	28
113. Medical Examination (Fishermen), 1959	18
117. Social Policy (Basic Aims and Standards), 1962	23
118. Equality of Treatment (Social Security), 1962	25
120. Hygiene (Commerce and Offices), 1964	33

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<u>Convention No.</u>	<u>Number of ratifications or accessions</u>
121. Employment Injury Benefits, 1964	11
122. Employment Policy, 1964	47
123. Minimum Age (Underground Work), 1965	32
124. Medical Examination of Young Persons (Underground Work), 1965	28
126. Accommodation of Crews (Fishermen), 1966	8
128. Invalidity, Old-Age and Survivors' Benefits, 1967	6
129. Labour Inspection (Agriculture), 1969	8
130. Medical Care and Sickness Benefits, 1969	4
131. Minimum Wage Fixing, (Developing Countries), 1970	7
132. Holidays with Pay (Revised), 1970	-- (x)
133. Crew Accommodation on Board Ship (Supplementary Provisions) 1970	-- (x)
134. Prevention of Occupational Accidents to Seafarers, 1970	2 (x)
135. Workers' Representatives, 1971	-- (x)

United Nations Educational, Scientific and Cultural Organization (UNESCO)

Convention against Discrimination in Education, 1960	59
Protocol instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education, 1962	20
Convention for the Protection of Cultural Property in the Event of Armed Conflict and Regulations for the Execution of the said Convention, 1954	63
Protocol for the Protection of Cultural Property in the Event of Armed Conflict, 1954	56
Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970	5
Universal Copyright Convention, 1962, Revised 1971	--
Protocols to the Universal Copyright Convention, 1971	--

World Intellectual Property Organization (WIPO)

Paris Convention for the Protection of Industrial Property, 1883, Revised 1900, 1911, 1925, 1958 and 1967	80
Madrid Agreement for the Repression of False or Deceptive Indications of Source of Goods, 1891	31

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	<u>Number of ratifications or accessions</u>
Madrid Agreement concerning the International Registration of Marks, 1891	23
The Hague Agreement concerning the International Deposit of Industrial Designs, 1925	15
Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, 1957	29
Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, 1958	10
Locarno Agreement establishing an International Classification for Industrial Designs, 1968	9
Patent Cooperation Treaty, 1970	4
Strasbourg Agreement concerning the International Patent Classification, 1971	--
Berne Convention for the Protection of Literary and Artistic Work, 1886	62
Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, 1961	13
Geneva Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, 1971	--

Organization of American States (OAS)

- Inter-American Charter of Social Guarantees, 1948
- Inter-American Convention on Human Rights, 1969

Council of Europe

Convention for the Protection of Human Rights and Fundamental Freedoms, 1950	15
Agreement relating to Persons Participating in the Proceedings of the European Court and the Commission on Human Rights, 1949	6
European Social Charter, 1961	9
European Cultural Convention, 1954	21
