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International Covenant on Economic,
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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES TO THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
CONCERNING RIGHTS COVERED BY ARTICLES 10 TO 12, IN ACCORDANCE
WITH THE SECOND STAGE OF THE PROGRAMME ESTABLISHED BY THE
ECONOMIC AND SOCIAL COUNCIL IN RESOLUTION 1988 (LX)

Note by the Secretary-General

1. In accordance with article 16 of the International Covenant on Economic, Social and Cultural Rights, the States Parties to the Covenant undertake to submit reports on the measures they have adopted and the progress made in achieving the observance of the rights recognized therein. All reports are to be submitted to the Secretary-General, who transmits copies to the Economic and Social Council for consideration in accordance with the provisions of the Covenant. The Secretary-General also transmits to the specialized agencies copies of the reports, or any relevant parts thereof, from States Parties to the Covenant which are also members of those specialized agencies in so far as the reports relate to any matters that fall within the responsibilities of the said agencies in accordance with their constitutional instruments.
2. Under article 17 of the Covenant, the States Parties to the Covenant furnish their reports in stages, in accordance with a programme established by the Economic and Social Council. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the Covenant. When relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the Covenant, it is not necessary to reproduce that information; instead a precise reference to the information so furnished may be given.

3. As provided for under article 17 of the Covenant, the Economic and Social Council, by resolution 1980 (LX) of 11 May 1976, established the following programme under which the States Parties to the Covenant were requested to furnish, in biennial stages, the reports referred to in article 16 thereof:

First stage: rights covered by articles 6-9;

Second stage: rights covered by articles 10-12;

Third stage: rights covered by articles 13-15.

4. By the same resolution, the Council invited the States Parties to submit to the Secretary-General, in conformity with part IV of the Covenant and in accordance with the programme mentioned above, reports on the measures they have adopted and the progress made in achieving the observance of the rights recognized in the Covenant and to indicate, when necessary, factors and difficulties affecting the degree of fulfilment of their obligations under the Covenant. The Council decided that the reports on the rights included in the first stage of the programme should be transmitted by 1 September 1977 and the reports on the subsequent stages at biennial intervals thereafter. It also decided that a sessional working group of the Economic and Social Council, with appropriate representation of States Parties to the Covenant, and with due regard to equitable geographical distribution, should be established by the Council whenever reports were due for consideration by the Council, for the purpose of assisting it in the consideration of such reports.

5. By its decision 1978/10 of 3 May 1978, the Council decided, *inter alia*, that the sessional working group on the implementation of the Covenant should be composed of 15 members of the Council which were also States parties to the Covenant: three members from African States, three members from Asian States, three members from Eastern European States, three members from Latin American States and three members from Western European and other States. It also invited the President of the Council, after due consultations with the regional groups, to appoint the members of the working group accordingly.

6. At the 5th plenary meeting of the Council, held on 17 April 1979, the President appointed the following Member States as members of the Sessional Working Group: Barbados, Colombia, Cyprus, Ecuador, Finland, Germany, Federal Republic of, Hungary, Philippines, Romania, Rwanda, Senegal, Spain, Syrian Arab Republic, Union of Soviet Socialist Republics and United Republic of Tanzania. The Sessional Working Group held its first session at United Nations Headquarters from 17 April to 3 May 1979. It decided to devote the first session to organizational matters, especially the formulation of its methods of work as requested in Council decision 1978/10. The methods of work proposed by the Sessional Working Group were set out in its report to the Economic and Social Council at the Council's first regular session of 1979 (E/1979/64).

7. By its resolution 1979/43 of 11 May 1979, the Council approved the methods of work of the Sessional Working Group, which provide, inter alia, that the Working Group shall meet annually during the first regular session of the Council; that it shall normally consider the reports submitted by States Parties under article 16 of the Covenant in the order in which they have been received by the Secretary-General and that representatives of the reporting States are entitled to be present at the meetings of the Working Group when their reports are examined, to make statements on the reports submitted by their States and answer questions which may be put to them by the members of the Working Group.

8. In accordance with the programme established by the Council in resolution 1988 (LX), reports under the second stage (arts. 10-12) were due on 1 September 1979 from the following 60 States Parties: Australia, Austria, Barbados, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, German Democratic Republic, Germany, Federal Republic of, Gambia, Guinea, Guyana, Hungary, India, Iran, Iraq, Italy, Jamaica, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritius, Mongolia, Morocco, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Spain, Suriname, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia and Zaire.

9. In a note verbale dated 10 May 1979, the Secretary-General brought to the attention of the above-mentioned States Parties the provisions of articles 16 and 17 of the Covenant as well as the relevant provisions of Council resolution 1988 (LX). He transmitted to the States Parties the general guidelines for reports on articles 10-12 of the Covenant drawn up by the Secretary-General, in co-operation with the specialized agencies concerned, in accordance with paragraph 8 of the Council resolution, and requested them to submit their reports under the second stage of the programme by 1 September 1979 for transmission to the Economic and Social Council at its first regular session of 1980. The general guidelines drawn up by the Secretary-General for reports under the second stage of the programme, are reproduced in the annex to the present document.

10. The reports of the States Parties under the second stage of the programme will be issued in addenda to this document.

Annex

**GENERAL GUIDELINES FOR REPORTS ON ARTICLES 10-12 OF THE INTERNATIONAL
COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Prepared in accordance with resolution 1988 (LX) of
the Economic and Social Council

**I. GUIDELINES FOR REPORTING ON ALL THE RIGHTS RECOGNIZED
IN ARTICLES 10-12 OF THE COVENANT**

A. In accordance with articles 16 and 17 of the Covenant and with the programme set forth in resolution 1988 (LX) of the Economic and Social Council, Governments of the States Parties to the Covenant are requested to report, by 1 September 1979, on the rights covered in part III, articles 10-12, of the Covenant. As mentioned in articles 16 (1) and 17 (2) of the Covenant, Governments are invited to report on "the measures that they have adopted and the progress made in achieving the observance of the rights recognized" in those articles, and to indicate any "factors and difficulties affecting the degree of fulfilment of their obligations under these articles".

B. It is suggested that, in this second series of reports, Governments should describe the basic conditions prevailing in their countries as well as the basic programmes and institutions relevant to the rights dealt with in articles 10-12, and that they should stress the developments regarding these conditions, programmes and institutions which have taken place since the entry into force of the Covenant, i.e., since 3 January 1976.

C. Where relevant information has previously been furnished to the United Nations or to a specialized agency - for instance under the system of periodic reports on human rights established by resolution 1074 C (XXXIX) of the Economic and Social Council or in reports to the specialized agencies concerned - it will not be necessary to reproduce this information; a precise reference to the information so furnished, preferably with indications of the relevant documents, will suffice.

D. It will be appreciated if copies of the principal laws, regulations, collective agreements and court decisions mentioned in the reports are attached.

E. In accordance with paragraph 2 of Council resolution 1988 (LX), the States Parties are requested, in reporting on the rights covered by articles 10-12, to give attention to the matters dealt with in parts I and II (arts. 1-5) of the Covenant, namely:

(1) The right of peoples to self-determination, as recognized in article 1 of the Covenant;

(2) Measures taken to guarantee the exercise of the rights covered by articles 10-12, without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (art. 2 (2));

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(3) To what extent non-nationals are guaranteed the rights dealt with in articles 10-12;

(4) Measures taken under article 3 of the Covenant to ensure the equal rights of men and women to the enjoyment of the rights set forth in articles 10-12;

(5) Limitations which may have been imposed upon the exercise of the rights set forth in articles 10-12, the reasons therefor, and safeguards against abuses in this regard, with copies of the relevant laws, regulations and court decisions (arts. 4 and 5).

II. ARTICLE 10. PROTECTION OF THE FAMILY, MOTHERS AND CHILDREN

A. It is suggested that information concerning the protection of the family should include:

(1) The principal laws, administrative regulations and collective agreements designed to promote the protection of the family, and relevant court decisions, if any;

(2) Guarantees of the right of men and women to enter into marriage with their full and free consent and to establish a family and measures taken to abolish such customs, ancient laws and practices as may affect the freedom of choice of a spouse;

(3) Measures to facilitate the establishment of a family, such as subsidies or installation grants, the provision of housing and other benefits;

(4) Measures aimed at maintaining, strengthening and protecting the family, such as family allowances, tax-exemption facilities, child-care institutions, etc.

B. Information on measures for maternity protection could include:

(1) The principal laws, administrative regulations and collective agreements governing the various aspects of maternity protection, and relevant court decisions, if any;

(2) Pre-natal and post-natal protection and assistance, including appropriate medical and health care and maternity and other benefits, irrespective of marital status;

(3) Special protection and assistance accorded to working mothers, including paid leave or leave with social security benefits and guarantees against dismissal during a reasonable period before and after childbirth;

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(4) Specific measures, if any, in favour of working mothers who are self-employed or participating in a family enterprise, especially in agriculture or in small crafts and trades, including adequate guarantees against loss of income;

(5) Specific measures designed to help mothers to maintain their children in the case of their husbands' death or absence.

C. Information on measures for the protection of children and young persons could include:

(1) The principal laws, administrative regulations and other measures, including collective agreements and court decisions, if any, aimed at protecting and assisting all children and young persons, in order to give them opportunities and facilities for their healthy physical and psychological development without distinction or discrimination on account of birth, parentage, social origin or other conditions.

(2) Special measures for the care and education of children, separated from their mothers or deprived of a family; physically, mentally, or socially handicapped children; and delinquent minors;

(3) Measures to protect children and young persons against economic, social and all other forms of exploitation, neglect or cruelty and from being the subject of traffic;

(4) Provisions governing work by children and young persons, including minimum age for paid or unpaid employment, regulation of hours of work and rest, prohibition or restriction of night work and penalties imposed for violations of such provisions;

(5) Measures taken to prevent the employment of children and young persons in any work which would be dangerous to life, harmful to their morals or health or likely to hamper their normal physical and psychosocial development, and penalties imposed for violations of such measures;

(6) Statistical and other available data showing the number of children and young persons in the various age groups who are in fact working, and the sectors or type of work in which they are employed.

III. ARTICLE 11. THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

A. States are asked to provide information on general and specific measures taken to achieve an adequate standard of living and a continuous improvement of living conditions of people.

B. Information on measures concerning the right to adequate food could include:

(1) The principal laws, administrative regulations and collective agreements designed to promote the right of everyone to adequate food, and relevant court decisions, if any;

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(2) Measures taken to develop or reform existing agrarian systems, in order to achieve the most efficient development and utilization of natural resources;

(3) Measures taken to improve methods of production and the quantity and quality of food produced, and to increase the yield per unit of cultivated land and to improve methods of animal husbandry, including animal health, by making full use of technical and scientific knowledge, in particular:

(a) The promotion of agricultural research, introduction and use of appropriate material, equipment and techniques;

(b) Measures to disseminate knowledge on the use of such material, equipment and techniques;

(4) Measures taken to improve and disseminate knowledge regarding methods of food conservation, in particular to reduce crop and post-harvest losses and waste (e.g., through pest control and adequate food storage facilities), and to prevent degradation of resources (e.g., through soil conservation and water management);

(5) Measures taken to improve food distribution, such as the improvement of communication between areas of production and food-marketing centres, the facilitation of access to markets, the introduction of price support and stabilization measures, the control of abusive practices, and the assurance of minimum supplies to needy groups;

(6) Measures taken to improve food consumption levels and nutrition, with particular reference to the most vulnerable groups of the population;

(7) Measures taken (including the adoption of food standards) to reduce food adulteration and contamination and to improve the quality and safety of food, at market and storage levels, as well as food hygiene at all levels;

(8) Measures taken to disseminate knowledge of the principles of nutrition;

(9) Participation in international co-operation, efforts and projects aimed at ensuring the right of everyone to be free from hunger, in particular through an equitable distribution of world food supplies in relation to need, account being taken of the related problems of both food-importing and food-exporting countries;

(10) Statistical and other available data on the realization of the right to adequate food.

C. Information concerning the right to adequate clothing could include:

(1) The principal laws, administrative regulations and collective agreements designed to promote the right to adequate clothing;

(2) Measures taken, including specific programmes, to improve the methods of production and distribution of articles of clothing;

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(3) Scientific and technical methods used to achieve an adequate supply of articles of clothing;

(4) The extent of participation in international co-operation contributing to the promotion of the right to adequate clothing.

D. Information concerning the right to housing could include:

(1) The principal laws, administrative regulations and collective agreements designed to promote the right to housing, and relevant court decisions, if any;

(2) Measures taken, including specific programmes, subsidies and tax incentives, to expand housing construction to meet the needs of all categories of the population, particularly low-income families;

(3) Information on the use of scientific and technical knowledge and of international co-operation for developing and improving housing construction, including safety measures against earthquakes, floods and other natural hazards;

(4) Measures taken or envisaged to solve the special problems of housing, water supply and sanitary conditions in rural areas;

(5) Measures taken for the protection of tenants, such as rent control and legal guarantees;

(6) Statistical and other available data on the realization of the right to housing.

IV. ARTICLE 12. THE RIGHT TO PHYSICAL AND MENTAL HEALTH

A. It would be appreciated if information could be provided on the principal laws, administrative regulations, collective agreements and other types of arrangements designed to promote and safeguard the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and relevant court decisions, if any, should be described.

B. Information should be provided on:

(1) Measures taken to reduce the stillbirth-rate and infant mortality;

(2) Measures taken for the healthy development of children;

(3) Measures taken to protect and improve all aspects of environmental and industrial hygiene, to prevent air, land and water pollution, to overcome the adverse effects of urban development and industrialisation, etc.

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(4) Comprehensive schemes and specific measures, including vaccination programmes to prevent, treat and control epidemic, endemic, occupational and other diseases and accidents in urban and rural areas;

(5) Comprehensive plans and specific measures to assure to all age groups and all other categories of the population, including in particular in rural areas, adequate health services including adequate medical attention in the event of sickness or accident;

(6) The main features of existing arrangements for the provision of medical care and methods of financing them.

C. Statistical and other available data are requested on the realization of the right to health, in particular, statistics on infant mortality, number of doctors per inhabitant, number of hospitals and hospital beds, etc.
