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SESSIONAL WORKING GROUP OF GOVERNMENTAL EXPERTS ON THE IMPLEMENTATION  
OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 15th MEETING

Held at Headquarters, New York,  
on Wednesday, 23 April 1986, at 3 p.m.

Chairman: Mr. RUIZ-CABAÑAS (Mexico)

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consolidated in a single corrigendum, to be issued shortly after the end of the  
session.

The meeting was called to order at 3.30 p.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)  
BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 13 TO 15  
(continued)

Initial report of Colombia (E/1982/3/Add.36)

1. At the invitation of the Chairman, Mr. Albán-Holguín (Colombia) took a place at the table.

2. Mr. ALBAN-HOLGUIN (Colombia), introducing the report, said that his country's Constitution guaranteed freedom of education, which at the primary level must be compulsory and available free to all. Ultimate responsibility for public education rested with the President of the Republic, who delegated it to the Ministry of Education, which ran the educational system through the secretariats of education. The system was financed from a fund which operated under the Ministry of Education and which allocated to the various regions that percentage of national income earmarked for education, a percentage that could not be reduced by the legislative body. Since 1958, the amount allocated to education had increased from 3 per cent of the budget to 30 per cent, which reflected the country's determination to develop public education rapidly and make it available to the entire population.

3. With regard to the structure of the educational system, he drew attention to paragraphs 48-50 of the report and explained that there were some 3,000 educational nuclei in the country, each with its own library, whose functions included the holding of meetings to keep teachers informed and to pass on information and instructions from the Ministry of Education.

4. Four million pupils received free education in the primary system, 97 per cent of them in State schools, and a double-shift system had been established in order to reach the entire population. Some 2 million students were enrolled in secondary education and 400,000 in higher education. Some 50 per cent of primary-school pupils went on to secondary school, but only 8.7 per cent of that number continued in higher educational establishments. Universities admitted approximately 170,000 new students every year, so that higher education reached a smaller proportion of people in Colombia than it did in the United States or Japan.

5. The country had some 30,000 to 40,000 primary schools, staffed by 300,000 teachers, 200,000 of whom were in the public schools. Efforts had been made to strengthen the primary-school system by attracting teachers through better pay and training and, to remedy inadequacies in rural areas, by organizing the New School strategy (para. 9 of the report). That strategy was designed to dispel the mistrust of rural people arising from their own ignorance, by establishing close relations between the parents and the school. It had been so successful in bringing education to many rural children that it had obtained a \$US 120-million loan from the World Bank to finance the Development Plan referred to in paragraph 10, which was designed to extend it to the remotest areas; another World Bank loan was being negotiated to reach the least-developed areas of the country.

(Mr. Albán-Holguín, Colombia)

6. World Bank financing had been necessary because it was extremely expensive to bring education to an indigenous population of 500,000, each with its own protected culture and identity, speaking 70 different languages, only 17 of which had a system of writing. Schools with indigenous populations taught agricultural skills in addition to reading and writing, and their calendar had to be synchronized with the harvests. The World Bank had also funded efforts to foster adult literacy.
7. While academic education was predominant, vocational education was gradually being introduced and non-formal education was also being encouraged (para. 2 of the report). Remedial courses had been organized for working people and school drop-outs. Co-operative schools had proved unsuccessful because they could not pay teachers' salaries that were competitive with those offered by the public schools, and the Ministry of Education was therefore helping them by providing them with teachers, although not with funds.
8. In the secondary schools and higher educational establishments, an annual State examination, compulsory for all students and monitored by State inspectors, provided useful information on the status of education throughout the country. Many measures had been taken to make higher education accessible to all (paras. 35 and 36 of the report). Efforts to combat illiteracy, enlisting the efforts of trade unions, factories, churches and other public bodies, were described in paragraphs 39-43.
9. Recent cuts in public expenditure, aimed at stabilizing the national economy, had led to a reduction in the number of fellowships provided by the Colombian Institute of Educational Credit and Technical Studies Abroad (ICETEX). The economic situation had now been normalized, however, and ICETEX was seeking to increase the number of students at all educational levels who benefited from financial assistance.
10. With regard to the material conditions of teaching staff, a special régime had been established by Decree No. 2227 of 1979, which regulated the entry, service, security, promotion and retirement of teachers. The schools were now adequately staffed with trained teachers.
11. While the principle of free and compulsory education for all was set forth in the Constitution, its application was dependent on the Government's ability to ensure the availability of schools and teachers. That ability was gradually increasing and the Government was also seeking to convince parents to participate in the education of their children.
12. Mrs. KIMATA (Japan) requested some examples of the bilateral agreements referred to in paragraph 4 of the report and more details on the Rehabilitation Plan for Peace, mentioned in paragraph 5. She would also welcome further details on the role of the private sector in secondary education. Were most secondary schools privately owned and operated, and if so, what was the relationship between such schools and the Ministry of Education? She would appreciate an explanation as to why the private sector played a more important role in education than the Government, although one third of the national budget was allocated to education. More details would also be appreciated on the remedial courses for persons over 24 years who had not completed their secondary education.

13. Mr. MRACHKOV (Bulgaria) said that the report illustrated the example of a country which had firmly committed itself to a cultural revolution in the most noble sense of that term. Colombia's achievements in the areas of education and culture, such as the reduction of the illiteracy rate to 6 per cent, were truly astonishing.
14. He would welcome further information on the right to higher education and the cost of such education. One of the principal areas that needed to be addressed by the Government was the diversification of higher education. The number of fields in which specialized training was available seemed to be limited. He would be interested to learn which fields of specialization were most common and which were not available. He would also welcome further information on faculties of law, economics and technology.
15. It seemed to him that the section of the report dealing with article 15 of the Covenant was not as comprehensive as the section which dealt with article 13. He would therefore welcome further information on the implementation of article 15, and more particularly, on the Government's policy for promoting scientific research and how such research was organized and financed. Further information on the participation of the people in cultural activities would also be appreciated, as well as the number of theatres, cinemas, art galleries and museums in Colombia. Lastly, he wished to know the Government's policy towards the mass media.
16. Mr. BENDIX (Denmark) noted that 89 per cent of children above six years of age were enrolled in schools and asked what the situation was with regard to the remaining 11 per cent. Further, he wondered whether there had been an error in the figure of 70.59 per cent given in paragraph 13 as the percentage of primary schools located in rural communities.
17. He had noted that there were no legally sanctioned procedures for compelling parents or heads of household to send their school-age children to school, and inquired whether any such legislation was envisaged.
18. He would welcome information on the efforts being made to promote vocational training in secondary schools and on the reasons why the co-operative school system had not been a success. He also wished to know whether teachers in public and private schools received equal pay and what mechanisms were in place to ensure that fellows returned to Colombia upon completion of their training abroad.
19. Mr. DARUSENKOV (Union of Soviet Socialist Republics) said that, despite economic and political difficulties, the Government of Colombia had not shirked its responsibility to implement the Covenant, and it would be interesting to see how that country's experience could be applied to other countries.
20. With reference to paragraph 9, he would welcome information on the employment prospects of persons, particularly in the rural areas, who had not completed their primary education.

(Mr. Darusenkov, USSR)

21. He had noted the growing role of the private sector in the provision of secondary and vocational education and asked which body monitored the operation of such institutions and determined their curricula. He wished to know what opportunities were available to disadvantaged persons, particularly workers and peasants, to obtain an education, especially in view of the reduced number of fellowships offered by ICETEX.
22. While welcoming the fact that in 1985 the share of women in higher education had increased significantly, he wondered what possibilities women had of benefiting from such education in view of their family commitments.
23. With regard to the rights under article 15, he would welcome information on the measures taken to preserve cultural monuments and artistic works, particularly those of ancient Indian civilizations, and commended the Government on its efforts to provide education to indigenous peoples in their own languages.
24. Mrs. JIMENEZ BUTRAGUEÑO (Spain) said that the report referred to non-formal education and to basic secondary and vocational secondary education without explaining precisely what those terms meant. It would be of interest to know whether any child could attend private schools in Colombia free of charge. The question of the training of diplomats had arisen, a point on which further details would be welcome. With reference to public examinations, she wished to know whether they were used solely for university entrance purposes or also in other contexts.
25. Paragraph 70 of the report, concerning the National Plan for Culture, implied that there might be a separate social-security régime for cultural workers. Clarification would be welcome.
26. Mr. TEXIER (France) said that the report, in general, might usefully have contained more statistical information. With regard to education, it seemed that the private sector was large and increasing in size. For example, many of the newly-established universities were private. Given that the Covenant emphasized the provision of State education, it would be of interest to know what the Government was doing to reverse that trend, and to provide grants for students at private institutions. In that connection, he noted that there was a substantial difference in cost between State and private universities. On a related matter, it was surprising to note that there were no legal sanctions to ensure attendance at school, so that the question arose of how absenteeism, which seemed to be a problem in Colombia, was dealt with.
27. The report did not make it clear what percentage of the State budget was devoted to education. In that connection he would welcome an analysis of the main items in the budget. He noted that a concordat existed between Colombia and the Vatican, and wondered whether non-Catholics could be educated in accordance with their own religious persuasions. It would also be useful to have details of the average remuneration of teachers at various levels. Paragraph 64 of the report referred to the liberty to establish educational institutions, but did not make it clear what qualifications would be required of those wishing to do so.

(Mr. Texier, France)

28. Referring to cultural life in Colombia, he said that the report erred on the side of modesty. In that connection, it would be of interest to know how television networks were organized, and in particular, whether they were State- or privately-operated. Lastly, with reference to native languages, he wished to know what endeavours were being pursued to preserve the various indigenous civilizations in Colombia.

29. Mr. LY (Senegal) said that the reference in the report to the New School strategy (para. 9) was of interest. He would welcome details of the process which had resulted in the formulation of the strategy. Paragraph 11 outlined the use of radio and television as educational tools in rural areas, but did not state what impact they had had. With regard to higher education, the report did not contain figures on the associated costs. He noted that Colombia had a system of educational loans for students, but wondered how successful it was in view of the slack labour market. Details could also be provided of the relevance of the country's education system to employment needs.

30. Paragraph 57 referred to the possible establishment of an educational bank; further details would be welcome. He would also welcome information on salaries for teachers in comparison with the average wage in the country.

31. The observation in paragraph 62 that the freedom of all sects that were not contrary to Christian morality was guaranteed raised the question of the place of the Church in education.

32. Instruction was available in various native languages. It would be useful to know how Colombia had tackled the delicate issue of which languages would be employed as mediums of instruction.

33. Further details of cultural activities would be of interest. In particular, the reference to the moral and materials interest of authors (para. 71) merited further elaboration, as did the reference to international co-operation in science and culture (para. 74). With regard to the latter, it would be useful to know with which countries Colombia had co-operated and the results of such co-operation. He trusted that future reports would contain more detailed information on cultural activities.

34. The CHAIRMAN, speaking as a member of the Working Group, asked whether primary education in Colombia was designed to promote nationhood, as in Mexico, and requested information on the role of television and the manner in which it was organized in Colombia.

35. Mr. Albán-Holguín (Colombia) withdrew.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)  
BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 10 TO 12  
(continued)

Initial report of Canada (continued) (E/1982/3/Add.34)

36. At the invitation of the Chairman, Mr. Sirois, Mr. Ewart and Mr. Bergeron (Canada) took places at the table.

37. Mr. SIROIS (Canada) said that, in 1975, the federal Government and the provincial governments had agreed on procedures for implementing both human-rights covenants. Those procedures provided for the holding of ministerial conferences, the creation of a committee to ensure co-operation between the federal and the provincial governments in activities relating to the two covenants and other conventions. The provincial governments were authorized to prepare their own reports on the implementation of the two covenants. There were a number of specialized bodies which ensured consultations between the federal Government and the provincial governments on matters concerning the Covenant.

38. The provincial governments were informed of the comments and questions formulated by the members of the Working Group at meetings devoted to the examination of reports of Canada and those questions were examined in internal reports and discussed at meetings between provincial governments.

39. Mr. EWART (Canada) said that each provincial government was sovereign in matters of education, and neither the federal Government nor another province could dictate educational standards. However, there was extensive consultation among ministers and officials of all provinces. A Council of Ministers met twice a year to share information regarding education and curricula. Deputy ministers also met twice a year, and groups of government officials met more often than that.

40. In Canada there was not a complete separation of Church and State, but there was no State religion. All religions were treated equally and received State assistance, but none was singled out for special treatment.

41. The Ontario public school system had two branches: one Catholic and one non-denominational. The Government supported both branches of the system by allowing individuals to earmark their taxes devoted to education for one or the other, and by providing grants to both. Until recently, the Catholic branch had received support only up to grade 10, but that had been extended to grade 13, the last grade before university. That situation had recently been considered by the Court of Appeal of Ontario, which had concluded that the full financing of the Catholic branch of the school system was in keeping with the Canadian Charter of Rights and Freedoms.

42. The Government established the curricula for private schools, which received no public funding and had to submit to government inspection in order to be able to issue certificates of graduation.

(Mr. Ewart, Canada)

43. The broad issue of religion in the non-Catholic public schools had been challenged on the basis of the Canadian Charter and had been argued in the High Court of Ontario during the past week. The appropriateness of the existing laws would be determined by the courts, and Canada would advise the Working Group on the outcome in its next report.

44. The Canadian Charter of Rights and Freedoms guaranteed freedom of conscience as well as religion and, in the public schools, the religious beliefs of teachers were irrelevant. Catholic public schools had the right to protect the Catholic nature of the system by requiring teachers to be practising Catholics.

45. The major publishing houses in Canada were owned by corporations. About 25 smaller publishing houses in Ontario received support from the Ontario government. Native peoples and other minorities had their own publications. Multicultural and multilingual publications were supported in part by provincial-government funding and federal grants. Organizations acting for the poor also published from time to time, often with government grants. Ontario had a television station devoted specifically to ethnic broadcasting. Ethnic publications included newsletters, magazines and newspapers. In 1985 there had been 193 publications of an ethnic nature in Ontario. Native people published four newspapers on a monthly, bimonthly or quarterly basis; there was also a quarterly literary journal. The provincial governments were making efforts to increase publications in the indigenous languages and to make indigenous literature more available.

46. It was the policy of the Canadian Government to promote unity through pride in one's origins, and there was a very extensive network of government funding and support for all cultural groups. Native languages were taught in the public schools, and public services were oriented towards meeting the needs of the various ethnic groups.

47. Native people were not considered as a cultural minority but as a distinct people with a unique role in Canada. Their rights were enshrined in the Constitution, and governments were now settling land claims and negotiating self-government with them.

48. The federal Government and all provincial governments had ratified both human-rights covenants at the same time. The Canadian Government considered the two covenants as integral parts of a whole and they were treated with equal importance throughout Canada. However, there were differences in the way each Covenant was implemented. Civil and political obligations could become more readily legal obligations, while economic, social and cultural rights were implemented at the level of programme and policy.

49. Mr. BERGERON (Canada) said that certain provincial governments had established international co-operation programmes. For example, in the past 15 years the government of Quebec had set up various co-operation programmes in the field of culture, education and science and technology.



(Mr. Bergeron, Canada)

50. Each provincial government had autonomy with regard to educational policy, which might differ from province to province. There was, however, one general principle: attendance at public schools up to the university level was free of charge. Private schools, which were attended by a small minority, were not free and, in Quebec province, their programmes had to be approved by the Minister of Education. The way in which private schools were financed differed in different provinces. In Quebec, 65 per cent of the private schools received government subsidies. In general, all Canadian schools, both public and private, were required to meet minimum standards laid down by the provincial governments.

51. It was difficult to make a similar distinction between public and private universities. For example, in Quebec the rules governing both were the same.

52. In the current biennium 1985-1986, the estimated expenditure on education was 33.3 billion Canadian dollars, or 8 per cent of the gross national product. Ninety-two per cent of that expenditure was financed by the provincial governments. There were currently some 15,500 primary and secondary schools, of which 14,000 were public, 1,100 private, and 374 federal schools. Of the 4,950,000 pupils registered at the primary and secondary level, 4,650,000 attended public schools. Of the 270,000 teachers in Canada, 255,000 taught in the public sector. Of the 465,000 full-time university students, 220,000 were women. However, about 60 per cent of all part-time university students were women; and a little more than half of the 300,000 persons in non-university post-secondary education were women.

53. In 1981, about 70 per cent of young people from 15 to 20 years of age had attended school, and 20 per cent of young people from 22 to 24 years of age had attended post-secondary institutions. However, since then the situation had been changing quite rapidly.

54. In order to ensure the implementation of international human-rights instruments, the provincial governments had to enact the appropriate legislation either by amending existing laws or by incorporating those instruments in the Charter of Rights and Freedoms. The federal Government had relied heavily on international texts in its preparation of that Charter. The courts often referred to international instruments in their interpretation of domestic law.

The meeting rose at 6.10 p.m.

