

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPORT ON THE FIRST SESSION

(9-27 March 1987)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1987

SUPPLEMENT No. 17 —



UNITED NATIONS

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPORT ON THE FIRST SESSION

(9-27 March 1987)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1987

SUPPLEMENT No. 17



UNITED NATIONS

New York, 1987

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

E/1987/28
E/C.12/1987/5

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
Abbreviations		v
Explanatory note		v
<u>Chapter</u>		
I. ORGANIZATIONAL AND OTHER MATTERS	1 - 11	1
A. States parties to the Covenant	1	1
B. Opening and duration of the session	2 - 3	1
C. Membership and attendance	4 - 7	1
D. Election of officers	8	2
E. Agenda	9	2
F. Organization of work	10 - 11	3
II. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT, ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1988 (LX) AND DECISION 1985/132	12 - 297	4
A. Status of submission of reports by States parties	12 - 14	4
B. Consideration of reports	15 - 297	4
Netherlands Antilles (arts. 6-9)	23 - 35	6
Jordan (arts. 6-9)	36 - 66	9
Jordan (arts. 10-12)	67 - 85	12
Ukrainian Soviet Socialist Republic (arts. 10-12)	86 - 114	16
German Democratic Republic (arts. 10-12)	115 - 149	20
Czechoslovakia (arts. 6-9 and 10-12)	150 - 169	25
Union of Soviet Socialist Republics (arts. 10-12)	170 - 220	29
Federal Republic of Germany (arts. 10-12)	221 - 259	36
Democratic People's Republic of Korea (arts. 6-9 and 10-12)	260 - 297	42

CONTENTS (continued)

<u>Chapter</u>		<u>Paragraphs</u>	<u>Page</u>
III.	FORMULATION OF SUGGESTIONS AND RECOMMENDATIONS OF A GENERAL NATURE BASED ON CONSIDERATION OF REPORTS PRESENTED BY STATES PARTIES TO THE COVENANT AND BY SPECIALIZED AGENCIES IN ORDER TO ASSIST THE COUNCIL TO FULFIL ITS RESPONSIBILITIES UNDER THE COVENANT.....	298 - 323	47
	A. General observations	298 - 316	47
	(a) General matters	299 - 304	47
	(b) Submission of reports by States parties ..	305 - 306	48
	(c) The content of States parties reports and of the reporting guidelines	307 - 313	48
	(d) Future programme of work	314 - 315	50
	(e) Substantive issues	316	50
	B. Suggestions and recommendations of a general nature approved by the Committee at its first session	317 - 323	51
	(a) With regard to the submission of reports .	318	51
	(b) With regard to the content of reports	319	52
	(c) With regard to the availability of information to the Committee	320	52
	(d) With regard to the role of the specialized agencies	321	53
	(e) With regard to the role of non-governmental organizations	322	53
	(f) With regard to future sessions of the Committee	323	53
IV.	ADOPTION OF THE REPORT	324	54

Annexes

I.	States parties to the Covenant and status of submission of reports in accordance with the programme established by Economic and Social Council resolution 1988 (LX)	55
II.	Membership of the Committee on Economic, Social and Cultural Rights 1987-1988	60
III.	List of documents of the Committee at its first session	61

ABBREVIATIONS

FAO	Food and Agriculture Organization of the United Nations
GNP	Gross national product
ICM	Inter-Governmental Committee for Migration
ILO	International Labour Organisation
IAEA	International Atomic Energy Agency
UNICEF	United Nations Children's Fund
WHO	World Health Organization

EXPLANATORY NOTE

A hyphen between years, e.g. 1981-1985, signifies the full period involved, including the beginning and end years.

I. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Covenant

1. As at 27 March 1987, the closing date of the first session of the Committee on Economic, Social and Cultural Rights, there were 90 States parties to the International Covenant on Economic, Social and Cultural Rights which was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. The Covenant entered into force on 3 January 1976 in accordance with the provisions of its article 27. A list of States parties to the Covenant is contained in annex I to the present report.

B. Opening and duration of the session

2. The first session of the Committee on Economic, Social and Cultural Rights established in accordance with Economic and Social Council resolution 1985/17 of 28 May 1985, was held at the United Nations Office at Geneva from 9 to 27 March 1987.

3. The Committee held 28 meetings (1st to 28th meetings). An account of the deliberations of the Committee is contained in the relevant summary records (E/C.12/1987/SR.1-28). A number of informal meetings were also held during the session.

C. Membership and attendance

4. In accordance with its resolution 1985/17, the Economic and Social Council, at its 17th meeting on 22 May 1986, elected by secret ballot from a list of persons nominated by States parties to the Covenant, 18 experts as members of the Committee on Economic, Social and Cultural Rights for a term beginning on 1 January 1987. 1/ The regular term of office of the members of the Committee is four years. In accordance with resolution 1985/17, the President of the Council, immediately after the first elections, chose by lot the names of nine members whose term shall expire at the end of two years. The list of the members of the Committee together with an indication of the duration of their term of office appears in annex II to the present report.

5. All members of the Committee attended the first session.

6. The following specialized agencies were represented by observers: the International Labour Organisation, the Food and Agriculture Organization of the United Nations and the United Nations Educational, Scientific and Cultural Organization.

7. The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers:

Category II: Four Directions Council, International Commission of Jurists and International Council of Environmental Law.

D. Election of officers

8. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, the Committee at its 2nd meeting, on 9 March 1987, elected the following officers:

Chairman: Mr. Ibrahim Ali BADAWI EL SHEIKH

Vice-Chairmen: Mr. Juan ALVAREZ VITA
Mr. Adib DAOUDY
Mr. Władysław NENEMAN

Rapporteur: Mr. Philip ALSTON

E. Agenda

9. At its 3rd meeting, on 10 March 1987, the Committee adopted the items listed on the provisional agenda submitted by the Secretary-General (E/C.12/1987/4) as the agenda of its first session. The agenda of the first session, as adopted, was as follows:

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda.
4. Organization of work.
5. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant, Economic and Social Council resolution 1988 (LX) and Council decision 1985/132.
6. Consideration of reports:
 - (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant,
 - (b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.
7. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies (Council resolution 1985/17).
8. Future meetings of the Committee.
9. Report of the Committee to the Economic and Social Council.

F. Organization of work

10. The Committee considered its organization of work at its 3rd and 4th meetings on 10 March 1987. In accordance with Economic and Social Council resolution 1979/43, the Committee at its 4th meeting approved the programme of work proposed by the Secretary-General (E/C.12/1987/L.1/Rev.1), which was subsequently amended by the Committee (see paras. 18 and 19 below).

11. In connection with this item, the Committee also had before it the following documents:

(a) Report of the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1986/49),

(b) General Assembly resolutions 41/117 and 41/119 of 4 December 1986 relating to the implementation of the International Covenants on Human Rights,

(c) Selected resolutions and decisions of the Economic and Social Council relating to the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/1987/1).

II. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN
ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT,
ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1988 (LX) AND
DECISION 1985/132

A. Status of submission of reports by States parties

12. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, the Committee at its 22nd and 23rd meetings, held on 23 and 24 March 1987, considered the status of submission of reports under articles 16 and 17 of the Covenant.

13. In this connection, the Committee had before it the following documents,

- (a) Report of the Secretary-General on reporting obligations of States parties to United Nations conventions on human rights (A/41/510),
- (b) Note by the Secretary-General reproducing a compilation of general guidelines regarding the form and contents of reports to be submitted by States parties (E/C.12/1987/2),
- (c) Note by the Secretary-General on the States parties to the Covenant and the status of submission of reports (E/C.12/1987/3),
- (d) General Assembly resolution 41/121 of 4 December 1986 entitled, "Reporting obligations under United Nations instruments in the field of human rights".

14. In accordance with Council decision 1981/158 of 8 May 1981, a list of States parties together with an indication of the status of submission of their reports is contained in annex I to the present report. In accordance with Council resolution 1979/43, the Committee has made a number of recommendations to the Council with regard to the submission of reports by States parties which are included in Chapter III of the present report.

B. Consideration of reports

15. At its first session, the Committee examined 11 reports submitted by 8 States parties under articles 16 and 17 of the Covenant. It devoted 18 of the 28 meetings it held during the first session to the consideration of these reports (E/C.12/1987/SR.5-22). The following reports, listed in the order in which they had been received by the Secretary-General, were before the Committee at its first session:

Initial reports concerning articles 6 to 9 of the Covenant

Democratic Peoples's Republic of Korea	E/1984/6/Add.7
Afghanistan	E/1984/6/Add.12
Netherlands	E/1984/6/Add.14
Jordan	E/1984/6/Add.15

Second periodic reports concerning articles 6 to 9 of the Covenant

Czechoslovakia

E/1984/7/Add.25

Initial reports concerning articles 10 to 12 of the Covenant

Democratic People's Republic of Korea	E/1986/3/Add.5
Jordan	E/1986/3/Add.6

Second periodic reports concerning articles 10 to 12 of the Covenant

Cyprus	E/1986/4/Add.2
Ukrainian Soviet Socialist Republic	E/1986/4/Add.5
Mongolia	E/1986/4/Add.9
Federal Republic of Germany	E/1986/4/Add.10
German Democratic Republic	E/1986/4/Add.11
Poland	E/1986/4/Add.12
Sweden	E/1986/4/Add.13
Union of Soviet Socialist Republics	E/1986/4/Add.14
Czechoslovakia	E/1986/4/Add.15
Denmark	E/1986/4/Add.16
Byelorussian Soviet Socialist Republic	E/1985/4/Add.19

Initial reports concerning articles 13 to 15 of the Covenant

Austria	E/1982/3/Add.37
Jordan	E/1982/3/Add.38
Yugoslavia	E/1982/3/Add.39

16. At its 3rd meeting, on 10 March 1987, the Committee was informed that the initial reports concerning articles 6 to 9 of the Covenant submitted by Portugal and Austria, the second periodic reports concerning articles 10 to 12 of the Covenant submitted by Romania and Chile and the initial report concerning articles 13 to 15 of the Covenant submitted by Chile would be made available to the Committee for consideration at its second session in view of certain technical difficulties encountered by the Secretariat in completing the translation and reproduction of those reports in the working languages in time for the first session. The Governments concerned had been informed in this regard by the Secretary-General in a note verbale dated 3 February 1987.

17. At the same meeting, the Committee was also informed that the initial reports concerning articles 6 to 9, 10 to 12 and 13 to 15 of the Covenant had been submitted by Zaire on 3 February 1987 and second periodic reports concerning articles 10 to 12 had been submitted by Bulgaria on 23 February and by Norway on 3 March 1987. These reports would also be made available to the Committee at its second session.

18. Also at its 3rd meeting, the Committee agreed, at the request of the Governments concerned, to postpone to its second session consideration of the initial report of Afghanistan concerning articles 6 to 9 of the Covenant (E/1984/6/Add.12) and the second periodic report of Cyprus and Poland concerning articles 10 to 12 of the Covenant (E/1986/4/Add.2 and E/1986/4/Add.12).

19. At its 15th, 18th and 19th meetings, held from 18 to 20 March 1987, the Committee, on the recommendation of its Bureau and taking into account the limited time available to it at its first session, decided to postpone to its

second session consideration of the second periodic reports of Mongolia (E/1986/4/Add.9), Sweden (E/1986/4/Add.13), Denmark (E/1986/4/Add.16) and the Byelorussian Soviet Socialist Republic (E/1986/4/Add.19) concerning the rights covered in articles 10 to 12 of the Covenant and the initial reports of Austria (E/1982/3/Add.37), Jordan (E/1982/3/Add.38) and Yugoslavia (E/1982/3/Add.39) concerning the rights covered in articles 13 to 15 of the Covenant.

20. In accordance with Economic and Social Council resolution 1979/43, representatives of all the reporting States were invited to participate in the meetings of the Committee when their reports were examined. All of the States parties whose reports were considered by the Committee sent representatives to participate in the examination of their respective reports.

21. For each report, the Committee heard introductory statements by a representative or representatives of the State party whose report was being considered. Comments were then made by the members of the Committee on the report and the introductory statements, and questions were asked of the representative or representatives of the reporting State. The representative or representatives of the State party concerned then replied to questions raised during the consideration of the report.

22. By its resolution 1985/17 of 28 May 1985, the Economic and Social Council requested the Committee to include in the report on its activities a summary of its consideration of the reports submitted by States parties to the Covenant. In pursuance of that request, the following paragraphs, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain summaries based on the records of the meetings at which the reports were considered. Fuller information is contained in the reports submitted by the States parties and in the summary records of the relevant meetings of the Committee, which are available to the Economic and Social Council, in accordance with its resolution 1985/17.

Netherlands (arts. 6-9)

23. The Committee considered the initial report of the Netherlands (dealing with the Netherlands Antilles), relating to articles 6 to 9 of the Covenant (E/1984/6/Add.14), at its 5th and 6th meetings, on 11 March 1987 (E/C.12/1987/SR.5-SR.6).

24. The report was introduced by the representative of the State party who affirmed his Government's support for the work of the Committee. He explained that, at the time of preparation of the report, the Kingdom of the Netherlands had consisted of two countries, the Netherlands and the Netherlands Antilles, but that since January 1986 the island of Aruba had achieved a separate status. The Kingdom thus consisted of three countries linked under a legal framework laid down in the Charter of 1954, according to which each country pursued its own interests independently but all were linked by obligations of mutual assistance. In accordance with a 1983 agreement Aruba would become independent in 1996 following a 10-year separate status transition period.

25. The representative noted that under the Charter of 1954 each of the countries was responsible for implementing human rights but that the Kingdom

as a whole was responsible for their guarantee. He explained that the report under consideration dealt only with the Netherlands Antilles (including Aruba) and not with the Netherlands itself. He indicated that, for financial and administrative reasons, the authorities of the Netherlands Antilles had been unable to send an expert to present supplementary information or to respond to questions from the Committee.

General observations

26. Members of the Committee regretted the absence of a representative of the Netherlands Antilles who could have responded to their questions. It was noted that a single report covering both the Netherlands and the Netherlands Antilles would have been preferable since it would have enabled a comparison of the situation between the two. It was said that while the report had, in principle, followed the outline of the reporting guidelines admirably, it was none the less lacking in a number of respects. In particular adequate information of a general political, economic and demographic nature was absent. It was suggested that a specific reporting guideline might be appropriate, in order to ensure that the relevant issues were addressed with respect to non-metropolitan territories.

27. More specifically, members felt that the report did not provide a sufficiently clear picture of the legal relationship between the Netherlands and the Netherlands Antilles. They also wished to receive more information on whether, and if so how, the right to self-determination had been exercised by the people of the Netherlands Antilles. In response the representative of the State party observed that the report submitted by his country to the Committee on the Elimination of Racial Discrimination 2/ contained much of the background information which members had sought and suggested that the documentation of the different supervisory committees of the United Nations might be made available to each other.

28. Some members noted that the content of the report and the result of its consideration by the Committee should be publicized in the Netherlands Antilles.

29. The representative of the Government declared that he would transmit to the competent authorities the questions which had been put to him by the members of the Committee.

Article 6: Right to work

30. With reference to that issue, members of the Committee asked whether there was any statutory recognition of the right to work and whether there were any guarantees beyond the general economic and social policies of the Government designed to promote realization of this right. Members also asked whether a detailed programme for full employment, such as that required by the ILO Convention concerning Employment Policy, of 1964 (Convention No. 122), to which the State party's report refers, had been drawn up. Members also asked to receive more information on the reasons for the high levels of unemployment in part of the Netherlands Antilles, on the measures which had been taken to halt the escalating levels of unemployment and on the nature and

consequences of action taken to combat inflation. Members also requested more details on the protection provided against arbitrary dismissal and asked whether it was a matter dealt with by the Civil Code or the labour legislation and whether a labour code existed, how many dismissals had been consented to by the appropriate authorities, and whether there was a right of judicial review and, if so, by whom.

31. With respect to the non-discrimination provisions of the Covenant, members asked what legal and administrative guarantees existed against discrimination in employment, why there was no legislation aiming to achieve equality of opportunity in the private sector and what was the extent of wage differentials between men and women. It was also asked whether the Government of the Netherlands intended to enshrine the principle of non-discrimination in its legislation. Information was also sought as to the situation of aliens with respect to the right to work and as to the legal status with respect to articles 6 to 9 of the Covenant of any foreigners who did not have the right to work. With respect to the promotion of opportunities for technical and vocational guidance, members asked for further information as to the facilities available, as to the means used for evaluating the occupational training needs of industry and as to the resources available to fund such training.

Article 7: Right to just and favourable conditions of work

32. With reference to those issues, members wished to know the extent to which worker and employer groups were involved, on a tripartite basis, in the preparation of relevant legislation, whether there was a balance of power between trade unions and employers in the collective bargaining process and whether there was an industrial relations service available. It was also asked whether a minimum wage existed, what the actual range was between the highest and lowest income groups, and whether the public servants' holiday allowance had been restored subsequent to its revocation for a year as from July 1984. As to safe and healthy working conditions, more specific information was sought as to the legal penalties for violations of the relevant regulations and as to the legal and other measures taken to ensure such conditions.

Article 8: Trade union rights

33. With respect to those rights, members of the Committee asked for more information as to the positive legal protection provided for the right to freedom of association as to the restrictions applicable to the right and as to the proportion of trade-union members in the work force. They also asked whether the Netherlands had ratified the ILO Convention concerning the Application of the Right to Organise and to Bargain Collectively, of 1949 (Convention No. 98), and if so, whether it was applicable to the Netherlands Antilles. With reference to the right to strike, further information was sought as to the relevant legislation, as to the implications of the prohibition on strike action while arbitration was in progress, and as to whether all or only some categories of public servants were prohibited from striking.

Article 9: Right to social security

34. With respect to this right, members of the Committee wished to know how the social security system differed with respect to different categories of workers, what percentage of the relevant contributions were paid by the employer and employee respectively, whether the unemployed were covered by the social security system and, if not, how they and their families survived, what the level of benefits was compared to average salaries and whether there was a general system of family benefits applicable to the population as a whole.

35. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Jordan (arts. 6-9)

36. The Committee considered the initial report of Jordan relating to articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights (E/1984/6/Add.15) at its 6th to 8th meetings, on 11 and 12 March 1987 (E/C.12/1987/SR.6-8).

37. The report was introduced by the representative of Jordan, who presented statistical data on the country's employment situation. He first drew the Committee's attention to the fact that the unemployment rate in 1973 had been 8 per cent, had decreased to 2 per cent in 1976 and had risen again to 8 per cent in 1985 as a result of the regional and world recessions. He stated that in his country there was unemployment among professionals trained in engineering and medicine and there was a labour shortage in highly specialized areas and agriculture. He added that in the Jordanian economy foreign workers played an important role.

38. The representative expressed the Government's intention to resolve those problems by taking various measures, including the planned creation of 97,000 new jobs between 1986 and 1990, establishing employment offices which would guarantee a better structured labour market, and to regulate the employment of foreign workers. He also referred to the existence of the social security agency, which had been established in 1978, and made general references to the standard of living, the housing situation and health-related issues.

General observations

39. Considering the report submitted by Jordan, it was pointed out by members of the Committee that reporting States should do their utmost to follow the guidelines laid down, both in order to facilitate the Committee's work and to demonstrate the process of constructive dialogue.

40. It was regretted that no reference was made in the report to the part played by international co-operation in securing the implementation of economic and social rights in Jordan.

41. It was noted by members that neither the report nor the introductory statement by the representative had mentioned Jordan's unique situation in

that about half the population consisted of refugees and that despite its limited resources Jordan had given priority to the victims and refugees of regional conflict.

Article 6: The right to work

42. With reference to the above issue, it was observed by members that unemployment persisted despite a constitutional provision stipulating that all citizens enjoyed the right to work, information was therefore requested concerning the conditions under which the right was exercised, including the extent of freedom of choice of employment and guarantees against discrimination, and whether forced labour was prohibited.

43. Members of the Committee asked questions concerning the number, nationalities and situation of foreign workers within the country. It was also asked on what grounds a large number of foreign workers were considered by the authorities as illegal workers, and to what extent foreigners were guaranteed the right to work. Information was also sought as to how many Jordanians work abroad, and whether they enjoyed Jordanian social security benefits.

44. Members of the Committee asked whether there was any law in Jordan prohibiting discrimination against women in connection with the right to work and on what grounds women could retire after a shorter service than men. It was also asked what kind of protection was given to workers who were subjected to arbitrary dismissals and what the Government proposed to do in order to eliminate mendicancy.

45. It was also pointed out that the numbers enrolled in various technical training programmes seemed small in terms of the total population, and more detailed information was requested concerning the various training programmes in existence.

46. The representative of Jordan, in reply, explained that the right to work was guaranteed, under the Constitution, for Jordanian citizens.

47. He stated, in this connection, that there were 70,000 foreigners working illegally in Jordan, that a large number of workers entering Jordan without visas were permitted by the Government to stay in the country, and further that the provision of Labour Act No. 18, of 1960, merely tightened the existing procedures for granting working permits.

48. With regard to the number of foreigners working legally, the representative clarified that the number of permits issued to aliens was 93,000 in 1981, 153,000 in 1984 and 143,000 in 1987. He added that a foreign worker was fully covered by Jordanian labour law once he obtained a work permit and that he or she could join a social security scheme. It was added that self-employed workers did not come under this scheme.

49. With regard to Jordanians working abroad, the representative stated that their number had been estimated at 340,000, mostly professionals, and that they were considered as a national asset since foreign earnings were important to the country's economy.

Article 7: The right to just and favourable conditions of work

50. It was observed that the report submitted by Jordan gave no information on the implementation of the Covenant concerning remuneration and equal opportunity.

51. With regard to remuneration, members of the Committee requested information on wage scales and asked whether there was a guaranteed minimum wage in Jordan. Statistics concerning the number of industrial accidents compared with the number of days of work were also sought. The question was raised as to whether a State labour inspectorate existed to monitor the implementation of security regulations, whether sanctions for breaches of such regulations were imposed, and, if so, what form they took administratively, judicially, penally or civilly.

52. Information was requested concerning measures for controlling pollution, the handling of toxic products and employment in hazardous tasks.

53. It was asked whether the right to equal pay for equal work was guaranteed in Jordan and whether there was any discrimination in this regard on the basis of sex or nationality. Information was also sought as to the facilities which were available for solving wage disputes. It was noted that the information provided made no distinction between public servants and those employed in the private sector. Information was requested on the proportion of male as opposed to female public servants and on opportunities for the promotion of women in the public sector. Information was requested on the average number of working days per week.

54. Concerning vocational training, the representative stated that there were some 20 vocational high schools, 71 specialized vocational centres and a vocational training corporation, which aimed to provide some training for 30,000 persons. He further stated that the Government made every effort to provide professionals, including doctors and engineers who were unemployed, with the skills they needed in order to find alternative work by preparing special courses for them.

55. Concerning the rights of women, the legislation on equality guaranteed the right to access to equal employment and salary without discrimination. The rate of participation of women in the economy was 12.5 per cent in 1985. The proportion of females working in the personnel and office work areas had been 34.3 per cent in 1979, and had risen to 36.1 per cent in 1984.

Article 8: Trade-union rights

56. With regard to trade-union rights, questions were asked as to whether the free exercise of trade-union rights was guaranteed, how trade-union activities were restricted and how many trade unions existed in Jordan.

57. Members of the Committee also raised questions about the right of trade unions to form confederations; the role of government officials in authorizing unions to join international trade-union organizations; and the kind of protection received by workers who were not members of trade unions.

58. With regard to the right to strike, members of the Committee asked whether the 14-28 day notification required in order to hold a strike did not pose a serious obstacle to the exercise of that right.

59. With regard to trade unions, the representative stated in reply that between 1981 and 1985, there were 68 collective bargaining agreements and 260,000 workers had signed them.

Article 9: The right to social security

60. It was observed that there was very little information in the report on the right to social security. Members asked whether there was a central, unified national social security system or a number of parallel régimes and whether it also covered the self-employed.

61. Given that Labour Act No. 18 provided for two weeks' sick leave per year, after six months' service, information was requested as to what happened to sick workers who were obliged to be off work for more than two weeks.

62. Concerning the status of foreign workers, the question was raised as to whether foreigners were entitled to draw social security benefits in the absence of bilateral agreements between Jordan and the workers' countries of origin.

63. Noting that the age of retirement was 62 and that the pension entitlement varied according to whether the retired person was single or married with family responsibilities, a question was asked as to whether a single person who had a family responsibility would be entitled to the same benefit as a married person.

64. In reply the representative indicated that the social security coverage of Jordanians working abroad depended on the schemes in operation in the country concerned.

65. As to the retirement age, the representative said that it was 60 in the case of men after 20 years of service, and 55 after 15 years of service in the case of women. This was not based on discrimination but was a mere reflection of the fact that the latter generally had more responsibility and heavier tasks at home.

66. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Jordan (arts. 10-12)

67. The initial report submitted by Jordan (E/1986/3/Add.6) on articles 10 to 12 of the Covenant was considered by the Committee at its 8th meeting, held on 12 March 1987 (E/C.12/1987/SR.8).

68. The report was introduced by the representative of Jordan who provided additional background information supported by some statistical data on the attainment of a higher standard of living, housing, and matters relating to

health. He drew the Committee's attention to the fact that the GNP per capita has been continuously growing, rising from 163 Jordan dinars (JD) in 1972 to 695 JD in 1985, approximately equivalent to \$US 2,000. The population served by a water network rose from 32 per cent in 1961 to 96 per cent in 1985. Telephone services are available to 88 per cent of the population.

69. As regards housing, he explained that Jordan had witnessed a remarkable development in the 1970s and 1980s and that a number of specialized institutions, such as the Housing Corporation, the Housing Bank, the Military Housing Corporation, the Urban Development Department and the Housing Co-operative societies had been established for the improvement of housing conditions. He pointed out that investment in housing had reached 782 million JD during 1981-1985 and that most of this investment came from the private sector. He stressed that housing units in the last 30 years had increased 12 times to reach 465,000 units in 1986.

70. Turning to health, he said that Jordan had attained significant progress in the improvement of health conditions. Preventive and curative services had been greatly expanded and made more readily available to the public. The number of health centres and village clinics had reached 420 in 1985 with 101 mother and child centres. The number of hospital beds had risen to 18.4 per 10,000 of the population. The number of physicians had risen to 11.3 physicians per 10,000 of population. Infant mortality had declined from 150 per 1,000 in 1961 to 60 per 1,000 in 1985. The average life expectancy had gone from 46 for men in 1961 to 67 in 1985 and for women from 47 to 71. Health insurance in Jordan was regulated by the Health Insurance Act. In general, Government employees and Armed Forces personnel were covered by medical insurance while 97.5 per cent of large private sector establishments had their own private health insurance as of 1979 for their employees. The Ministry of Health provided medical services free of charge for the poor, and for a small fee for those not covered by insurance.

General observations

71. Turning to the general content of the report, members of the Committee observed that the report did not provide sufficient detailed information and that more precise information on the extent to which articles 10 to 12 of the Covenant were or were not being realized would have been welcome. In particular it was felt that the report should have been prepared more closely in accordance with the reporting guidelines.

Article 10: Protection of the family, mothers and children

72. Turning to the protection of the family, it was asked whether the notion of the extended family existed in Jordan. Members of the Committee, while welcoming the efforts made by the Government in this area, observed that the report did not contain any specific information as to housing assistance provided to young married persons in the lower income brackets. Members wished to know whether article 48 of Jordanian Labour Act No. 21, of 1960, under which children under the age of 13 are not allowed to work, applied exclusively to remunerated work and whether other measures aimed at preventing children from undertaking difficult or dangerous tasks had been adopted. It was also asked whether special tribunals for minors or juveniles existed in Jordan.

73. As regards equality of the sexes, some members of the Committee asked whether a man may be allowed to have up to four wives simultaneously, and requested information as to the type of traditional policy pursued in Jordan to prevent any discrimination with respect to women in this regard. Concerning marriage, and in particular, the free consent of the intending spouses, information was sought as to why the relevant wording of article 10 was not used in the Jordanian legislation.

74. With respect to the statement made in the report that the Personal Status Act (No. 61), of 1976, provided that a woman shall not be compelled to marry a man older than herself, information was sought as to the nature of any restrictions affecting the rights of women in their free choice of a spouse. Questions were also asked about the minimum age set for marriage, whether the intending spouses were given any kind of counselling prior to marriage and whether the concept of the natural family was given recognition in Jordan. With respect to maternity leave, clarification was requested over the differences in treatment accorded to female employees who have worked for 180 days and those who have worked for a shorter period of time in the same enterprise.

75. Clarification was further requested with respect to the conditions governing the rights of women to apply for divorce, as to the level of the divorce rate in Jordan, as to the implications of divorce for the spouse and children and as to the legislation governing divorce.

76. In reply, the representative of Jordan explained that the Jordanian practice with respect to Islamic marriage laws was not sufficiently known by the rest of the world. The 1976 Act provided for equality between men and women, as a result of which marriage had become a contract between two consenting adults who may include other clauses of their choice. For instance women could divorce and receive alimony. He said that the Government did not intervene in the application of non-Islamic laws in other religious communities, except in matters relating to succession or inheritance. He pointed out that women could carry out business under their own name. Turning to the provision that a woman shall not be compelled to marry a man older than herself, he explained that such provisions should not be interpreted to mean that a woman may not marry a man older than herself.

77. As regards the family, he stated that it constituted the central economic entity in Jordan, and that the notion of the extended family existed in Jordan. Children and old persons who cannot materially support themselves are taken care of by the family. He said that copies of judgements rendered on this matter by competent tribunals could be made available to the Committee.

Article 11: Right to an adequate standard of living

78. Members of the Committee wished to obtain more information on the distribution of the GNP, particularly in terms of the least advantaged members of society, since aggregated statistical data per se may not necessarily reveal the situation with respect to individual rights.

79. It was noted by members that neither the report nor the introductory statement by the representative had mentioned Jordan's unique situation in that about half the population consisted of refugees and that despite its limited resources Jordan had given priority to the victims and refugees of regional conflict.

80. Regarding housing, information was requested on measures taken by the Government to provide housing to lower-income people and on any legislative measures taken to implement rent control or to protect tenants from expulsion.

81. In his statement, in accordance with paragraph 9 of Economic and Social Council decision 1981/158, of 8 May 1981, the observer for FAO recalled that his organization paid particular attention to the access of workers to education and to their utilization of modern techniques in rural activities. In this respect, he also drew the attention of the Committee to the World Conference on Agrarian Reform and Rural Development, held at Rome from 12 to 20 July 1979, which put a great emphasis on education and training. He added that FAO was doing its utmost to speed up the transfer of technology to the rural population and stated that, at the request of the Government, several projects relating to agricultural development were under way in Jordan and that the training of the staff involved was geared towards having trained staff who would in turn be in a position to train the new staff. Regarding hygiene and occupational safety, he pointed out that the Government had ratified and taken all necessary measures to implement the provisions of the International Code of Conduct on the Distribution and Use of Pesticides.

82. Concerning article 11 of the Covenant, the representative said that it was difficult to define what was meant by an adequate standard of living. However, he added that considerable progress had been made in Jordan in the field of housing, per capita income and nutrition in particular. He noted that there had been a 3.9 per cent increase in the population in 1983 and that 0.5 per cent of that increase was due to the influx of immigrants or refugees. He added that the economy was almost entirely in the hands of private enterprises which were encouraged by the Government in order to improve the methods of production and to prevent food shortages. With respect to social rights, he said that the rights of tenants were well protected against expulsion.

Article 12: Right to physical and mental health

83. As concerns article 12, information was sought as to the measures contemplated to reach the target set by WHO of attaining a high standard of physical and mental health by the year 2000. Turning to the shortage of nurses and midwives mentioned in the report, it was suggested that the Committee should ask the Economic and Social Council to draw the attention of WHO or UNICEF to that matter. Questions were asked as to whether endemic or any other contagious diseases existed in Jordan.

84. With respect to health, the representative of Jordan pointed out that the 1985-1990 five-year plan included targets set up in accordance with directives of WHO. He explained that lower-income people received medical care free of charge and that a few schools had recently been set up to cope with the shortage of female nurses and midwives. He said that 23 State hospitals and 26 private hospitals had been built in Jordan. In his concluding remarks, the representative of the State party said that the inflation rate had been low in Jordan since 1983. The illiteracy rate had dropped from 67 per cent in 1961 to 28 per cent in 1985. In the next five-year plan the objectives of the Government included total eradication of illiteracy. In the course of the past four years, four juvenile rehabilitation centres had been created and in 1986 a National Assistance Fund had been established to assist the handicapped and poor families.

85. In concluding consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Ukrainian Soviet Socialist Republic (arts. 10-12)

86. The second periodic report (E/1986/4/Add.5) of the Ukrainian Soviet Socialist Republic on the rights covered in articles 10 to 12 of the Covenant was considered by the Committee at its 9th to 11th meetings (E/C.12/1987/SR.9-11), held on 13 and 16 March 1987.

87. The report was introduced by the representative of the State party. He provided further information and informed the Committee about new legislation which had been adopted since the submission of the report. With reference to the new legislation, the representative indicated, inter alia, that the provision of the additional three days' paid leave for working mothers with two or more children under the age of 12, mentioned in the report (E/1986/4/Add.5, para. 12), had been extended, in November 1985, to single working fathers in the same situation. In 1986 and 1987 the Presidium of the Supreme Soviet of the Ukrainian SSR had adopted a number of decrees establishing, inter alia: (a) the minimum alimony for one child; (b) the increase in the family allowances to be paid for children of fathers performing national service with the armed forces; (c) the provision for children of low-income, single-parent families of free school, sports and young pioneer uniforms, free school lunches and free vacations in holiday resorts; and (d) the increases in disability benefits for young persons who had been invalid from birth.

88. The attention of the Committee was also drawn to the consideration by the Supreme Soviet of the Ukrainian SSR of a series of new laws concerning, in particular, the issues of education, environmental protection and entitlement to paid leave. The representative informed the Committee about various aspects of national policy and gave additional statistical data on the growth of national income; the average monthly pay for manual and non-manual workers as well as for collective farm workers; the progress made in the provision to the population of new apartments and houses; and the construction of new schools, hospitals and polyclinics.

89. As for a number of difficulties which had been encountered despite the progress achieved, mention was made of those existing in the sphere of housing construction, medical coverage for people living in rural areas, and environmental protection.

General observations

90. The Committee commended the Government on the report and expressed their appreciation for the excellent and frank oral presentation by the representative of the State party. Members noted that the State party had complied with the deadline for submission of its report and with the reporting guidelines, and that much progress had been made in securing implementation of the relevant rights since the submission of the initial report (E/1980/6/Add.24).

91. It was observed that no mention was made, either in the second periodic report or in the initial report of how the Government had regulated observance of the provisions of the Covenant through its own internal legislation. Members of the Committee expressed their wish to have more information on what kind of body - public authority, trade unions or independent - was actually responsible for ensuring that the relevant rights were respected. It was observed that the second report lacked information concerning the adverse impact of economic development or the systemic or structural shortcomings which impeded the realization in the Ukrainian SSR of the rights enunciated in the Covenant. It was suggested that, although the representative of the State party had provided relevant information in his oral statement it would be preferable in the future for such information to be included in the report itself.

92. Questions were also asked concerning the role of law in the realization of economic, social and cultural rights in the Ukrainian SSR. It was asked whether there were any institutional arrangements, including provisions for judicial review, which enabled citizens to ensure that their constitutional rights were not violated and, if they were violated, to seek legal remedies. Clarification was requested as to the role of case law in the recognition and protection of economic, social and cultural rights. Information was requested regarding the federal and republican legislation and their co-relationship and, in particular, as to how legislative competence in the fields of social security and labour was divided between the Soviet Union and the Ukrainian SSR.

93. The representative of the Ukrainian Soviet Socialist Republic gave detailed responses to all the questions and provided the Committee with additional information. Replying to the general questions, and with particular reference to the important concept of an "adequate standard of living", he said that the objective set out in his country's Constitution was essentially to meet the basic needs of the individual, which were not necessarily immutable, bearing in mind the evolution of society, scientific progress and rises in educational and cultural levels.

94. Regarding the decision-making machinery for the application of the rights set out in the Covenant, the political system was dynamic, and all social organizations in the Republic had the right to take initiatives in the field of legislation. As a part of the current democratization effort, new social organizations had been set up to represent various interest groups, particularly women.

95. With reference to the division of competence between the Soviet Union and the Union republics in the legislative field, the representative mentioned article 73 of the Constitution of the USSR, which stipulated the fields of competence of the USSR. Outside the limits indicated in that article, a Union republic acted with full independence in the exercise of State authority over its territory. Consequently, legislation could be of three kinds: first, legislation relating solely to the Union, as for example in the field of social security and public health; second, legislation within the joint competence of the State and the republics, where the fundamental principles were established by the State and each republic was free to adapt the legislation to its own traditions or living conditions, on the understanding that, in the event of any divergence, the decision of the State had precedence over that of the republic; third, legislation falling solely within the responsibility of each republic.

Consequently, norms were not all the same for every republic, but were established in accordance with traditions and customs.

96. In response to the question concerning protection of the rights set out in articles 10 to 12 of the Covenant by institutions other than the courts, mention was made of the competence of the administration of enterprises and establishments, administrative bodies and trade unions in that area, and to the right of the individual to lodge complaints with the Public Prosecutor for any illegal act, of which he had been a victim, committed by a superior.

97. Concerning inclusion in the report of the information presented orally, it was said that if the Committee adopted a recommendation on that subject, account would be taken of it when the next periodic report was being prepared.

Article 10: Protection of the family, mothers and children

98. With respect to the implementation of article 10, members requested more information as to the scope of the application of the laws concerning fathers raising their children alone; on the legal status of unmarried couples living together and especially the rights of their children; and on the allowances paid by the State to a single mother. With respect to alimony, it was suggested that additional measures might be needed to obtain the money from the father. Questions were also asked on the attribution of nationality to the children born of mixed marriages.

99. It was further asked whether a family planning scheme had been established and what was the present rate of population growth and its effects on the enjoyment of economic, social and cultural rights.

100. With respect to the differences in marriageable age for women (17) and men (18), mentioned in the initial report, it was asked whether the legislation on the subject had been modified and whether the Government regarded the age difference as a possible source of discrimination, in the light of the provisions of article 2, paragraph 2, and article 3 of the Covenant.

101. Replying to specific questions, the representative cited the social and material steps taken by the State to encourage child-bearing, from which 110,000 women had benefited, as well as leave for single fathers. The decision concerning marriageable age had been taken in the light of historic traditions and the actual situation, and there was no question of any discrimination whatsoever.

Article 11: Right to an adequate standard of living

102. Clarification was requested regarding the daily per capita intake of calories and, in view of the frankness and openness of the discussion of economic problems in the Soviet Union, a wish was expressed to have more information on the consumption of alcohol in the Ukrainian SSR and the measures which were being taken to combat a level of alcohol consumption considered excessive by the authorities.

103. Noting that, in November 1986, a law on individual labour activities had been adopted, members of the Committee were interested in having information

as to what steps had already been taken to implement that law and how the law was expected to affect the standard of living.

104. Questions were also asked concerning housing and difficulties encountered with respect to the continuous improvement of living conditions. In that context, reference was made to the decision of the General Assembly to proclaim 1987, through its resolution 37/221 of 20 December 1982, as International Year of Shelter for the Homeless, and it was asked whether there were homeless people in the Ukrainian SSR and whether the right to housing was fully realized in keeping with the objectives of the Year.

105. The representative of the Ukrainian SSR provided further information on the housing situation, pointing out that State housing was provided free of charge, and that rents did not exceed a third of the real maintenance costs incurred by the State. There were no homeless in the Ukraine.

106. As far as purchasing power was concerned, it was indicated that the prices of the main foodstuffs and consumer goods had remained more or less stable since 1960. In that context, the representative said that measures taken to combat alcoholism had already borne fruit: in 1986 alcohol consumption had fallen by a third.

107. The law on individual labour which would enter into force on 1 May 1987 had been adopted, among other reasons, to enable working people to increase their incomes.

Article 12: Right to physical and mental health

108. Referring to the implementation of article 12 of the Covenant and noting the progress made by the Ukrainian SSR since the submission of the initial report, members of the Committee expressed their wish to have more information concerning "social consumption funds" which provided the population with free medical care, education and other benefits, on the structure of the birth rate, and on legislation relating to contraception and abortion.

109. Members were also interested in more detailed information concerning the risks associated with the peaceful use of atomic energy and the preventive measures being taken by the Ukrainian SSR in the light of the Chernobyl accident and the information which it provided to the population on the subject. It was asked what legal and administrative means existed in the Ukrainian SSR to secure healthy working conditions and if there were any sanctions in case of occupational diseases caused by neglect or lack of proper working conditions. Members of the Committee also requested more information on how the Comprehensive Programme of Work to Increase Disease Prevention and Strengthen the Health of the Population for the period 1985-1990 was being applied in the Ukrainian SSR.

110. The representative of the Ukrainian SSR enumerated the measures taken after the Chernobyl accident to minimize the impact of radiation and reduce it to a level in keeping with WHO and IAEA standards and to inform the population about it.

111. Legal guarantees in the field of labour security had been described at three levels in the legislation of the Republic.

112. Turning to the social consumption funds and the implementation of economic and social development plans, it was stated that 390 billion roubles had been earmarked for social expenditure under the current five-year plan, more than double the figure under the previous plan.

113. Finally, the representative of the Ukrainian SSR pointed out that his Government was making every effort to ensure the fullest possible implementation of the provisions of the Covenant and he assured the members of his country's complete co-operation in helping to achieve that end.

114. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

German Democratic Republic (arts. 10-12)

115. The second periodic report (E/1986/4/Add.11) of the German Democratic Republic on the rights covered in articles 10 to 12 of the Covenant was considered by the Committee at its 11th, 12th and 14th meetings, held on 16 and 17 March 1987 (E/C.12/1987/SR.11, 12 and 14). The report was introduced by the representative of the reporting State.

116. She stated that the implementation of economic, social and cultural rights in the German Democratic Republic was based on the principle that human rights and fundamental freedoms were inseparable and indivisible. Within this context, it was emphasized that the full implementation of the rights now under consideration presupposed the peaceful coexistence of all nations, for which reason priority must be given to the struggle for peace, to ending the arms race and to achieving effective arms control and disarmament.

117. As to article 10 of the Covenant, the representative pointed out that her Government had established the priorities of fostering family life, ensuring extensive care for mothers and children and assisting large families and young couples. The social welfare programme had enabled women to harmonize their occupational activities, social responsibilities and role in the family more easily, and more than 91 per cent of all women of working age were in employment.

118. With reference to article 11, she said that the right to an adequate standard of living had become a reality in her country. Over the past 15 years, real income had more than doubled and an annual growth rate of 4 per cent was envisaged up to 1990.

119. In connection with this, the Committee was informed that over the past 15 years, 2.6 million dwellings had been built or modernized and better living conditions achieved for about 42 per cent of the country's population. Rents had been kept low and stable for more than 40 years and, on average, accounted for less than 3 per cent of a worker's net household income. In addition stable consumer prices for essential goods, rents, fares and services played a major part in the growth of real income and living standards.

120. With regard to article 12, reference was made to articles 35 and 38 of the Constitution, in which the right to enjoy the highest attainable standard

of physical and mental health was enunciated. Medical care and pharmaceuticals were free of charge for every citizen, increasing attention was being paid to preventive health care, and progress had been made in reducing infant mortality. Her country's economic and social policies paid great heed to protection of the natural environment and considerable resources had been set aside for developing technological methods to facilitate the recycling of industrial waste products.

General observations

121. Members of the Committee commended the Government on its report (E/1986/4/Add.11), which was prepared in accordance with the reporting guidelines and submitted in timely fashion.

122. Members of the Committee welcomed the reference made in the report (*ibid.*, paras. 3-8) to articles 1 to 3 of the Covenant and the measures taken to implement them. With respect to the reference (*ibid.*, para. 3) to the right to self-determination, some members observed that the people of the German Democratic Republic had effectively exercised this right while some other members doubted whether such an exercise had actually taken place.

123. Clarification was requested as to the status of non-nationals (*ibid.*, para. 5), especially in the light of the remark contained in the report that certain rights were tied to citizenship (*ibid.*, para. 6). With respect to article 2 (2) of the Covenant it was asked whether the open adherence to religious beliefs could have adverse consequences, such as exclusion from certain educational opportunities or from preferred jobs.

124. With reference to the problems relating to equal rights for men and women (*ibid.*, paras. 7 and 8), some members expressed their wish to have more information on the measures taken in the process of implementation of the rights enunciated in article 3 of the Covenant.

125. Some members wished to have additional information concerning the application of various legislative acts mentioned in the report, and on the extent of popular participation in the attainment of the social and economic objectives laid down in articles 10 to 12 of the Covenant.

126. Some members took note with satisfaction of the reference made in the report to the importance of the maintenance of the international peace and security for the realization of all human rights.

127. Some members observed that the report had given insufficient attention to the factors and difficulties affecting the degree of fulfilment of the obligations as provided for in article 17 (2) of the Covenant.

128. In reply, the representative stressed that foreigners residing in the German Democratic Republic had the same rights as nationals unless the rights were linked to citizenship (right to vote, right to be elected, etc.); in particular, that meant that they enjoyed the social, cultural and recreational services offered to the country's workers. On the basis of inter-State agreements, the German Democratic Republic co-operated with other States in sending workers hired for temporary periods from one country to the other. Under those agreements, the German Democratic Republic undertook to guarantee

foreign workers the same rights as their own citizens, except for rights directly associated with citizenship. Any discrimination against foreign workers was excluded, and article 16 of the Labour Code stipulated that all of its provisions were applicable to foreign workers.

129. With reference to article 3 of the Covenant, the representative stated that the equal rights of men and women were enshrined in the Constitution and guaranteed in practice in the economic, social and cultural fields. Women received equal wages for equal work. At present, more than 91 per cent of women of working age had a job or were being educated or trained. The participation of women in decision-making was attested by the number of women deputies in all representative bodies: they accounted for 32 per cent of the People's Assembly; the Democratic League of German Women formed a parliamentary group of 35 deputies; five women were members of the State Council; and women were broadly represented in regional, departmental and municipal bodies as well as in people's assemblies at all levels.

Article 10: Protection of the family, mothers and children

130. Members wished to have more information on the general policy concerning married and unmarried couples and on any differences in the legal and social treatment of married and unmarried mothers. It was asked how the extended rights given to the working mother of a new-born child were compatible with her economic role; what the attitude was to the concept of the natural family; and whether children born out of wedlock had the same rights as others. Information was sought as to when the benefits referred to in paragraph 18 of the report had been granted.

131. Referring to paragraph 14 of the report, members wished to know whether many men availed themselves of the paid leave that could be granted not only to the wife but also to the husband.

132. After mentioning the relatively recent phenomenon of "surrogate mothers", members wished to know what the situation was in that respect and whether the practice was prohibited by law or condemned by society. The same question was asked with regard to artificial insemination.

133. In reply to the questions concerning unmarried mothers, the representative referred to article 46 of the Family Code and its implementation. She also indicated that until 1986 only unmarried mothers were entitled to six months' annual leave to care for a sick child, during which they received 50 to 70 per cent of their pay. Since April 1986, married working mothers with two or more children had the same right as unmarried mothers.

134. Artificial insemination was authorized for married couples but not the use of "surrogate mothers".

135. In whatever concerned the equal rights of children, the Government had always been careful to offer all children equality of opportunity in education, to encourage them to attain the optimum level of education and to ensure their material security. Relevant statistics were cited.

Article 11: Right to an adequate standard of living

136. Several members having noted the fact that real income had doubled from 1970 to 1985, while consumer prices for basic commodities had remained unchanged for more than 25 years, asked for more detailed information on the measures taken with respect to housing in general, and to the improvement of living conditions, in particular.

137. It was also asked whether private individuals could have flats or houses built and, if so, whether they were aided by the State. A question was asked concerning the existence of homeless persons.

138. With reference to paragraph 33 of the report, members indicated that it would be interesting to know whether any studies had been made on malnutrition.

139. In reply, the representative indicated that 2.6 million dwellings had been built or modernized between 1971 and 1986, thus improving the housing conditions of 7.9 million persons. Two thirds of the new dwellings had gone to families of workers and one quarter of housing had been allotted to young married couples. Families with three or more children had priority in the allocation of housing. At the end of 1986, the German Democratic Republic had more than 400 dwellings per 1,000 inhabitants, with an average of more than 26 m² per person. There had been a distinct improvement in the quality of housing. Rents differed somewhat depending on whether the dwelling was situated in a small or a large town and on the level of comfort it offered. The rents covered one third of the maintenance, repair and administrative costs, the remainder being borne by the State.

140. The representative stated that there were no homeless in the German Democratic Republic.

141. Under the State's social budget, in 1986 the State had spent 15 billion marks on the construction and modernization of housing, the maintenance of existing housing and the management of co-operative and public housing, 12.3 billion on public education, 21 billion on improvement of the efficiency and quality of social and medical services, 48 billion to ensure stable prices for essential products, 4.5 billion on health protection and medical care, allowances for mothers and children, and care of the aged, 5 billion on social assistance, and 3 billion on recreation.

142. As far as the standard of living was concerned, the representative indicated that in socialist society, economic and social policies were not treated separately but were regarded as constituting a whole. Per capita real income had risen 4 per cent in 1984 over 1983. Expenditure on rent, heating, water, gas and electricity represented 5 per cent of family income. The price of basic foodstuffs and essential services had remained stable, and this accounted for the high level of general consumption. There was no malnutrition.

Article 12: Right to physical and mental health

143. Members of the Committee requested clarifications on all that concerned recent birth-rate trends, measures taken by the authorities to reduce the number of abortions and the rate of still births, and measures taken to prevent industrial diseases.

144. With regard to environmental protection, members asked whether there were associations for the protection of the environment and, if so, what their status and role were, and whether violation of environmental-pollution regulations was punishable under administrative or penal provisions. Noting that the German Democratic Republic emitted about twice as much sulphur dioxide per year as the Federal Republic of Germany, it was asked what was being done to reduce those emissions in accordance with relevant international agreements.

145. In reply, the representative indicated that in everything relating to family planning and the birth-rate, the policies of the German Democratic Republic were based on the principle that women enjoyed complete equality with men and were free to decide on how to conduct their personal lives. They were given contraceptives free of charge and it was they who, increasingly, decided on the number of children and the spacing of births. In that connection, mention was made of the provisions of the 1972 law on the interruption of pregnancy.

146. As to labour medicine and industrial diseases, she stressed the fact that the Constitution and the Labour Code enshrined not only the right to work but also the right to working conditions that were not prejudicial to health. The latest international standards on the medical screening of workers were applied. Almost all jobs entailing a health risk were checked, and intensive efforts were made to reduce the incidence of industrial diseases such as silicosis and deafness due to noise. The incidence of industrial diseases was constantly declining.

147. Drug addiction and trafficking were unknown in the German Democratic Republic, which did not offer a suitable terrain for the development of such phenomena. Alcoholism existed but it was exceptional and often associated with juvenile delinquency, which was rather rare in the country. In that connection, the attention of members was drawn to articles 145 and 147 of the Penal Code, which stipulated severe punishment for any adult who endangered the psychological or moral development of a child or adolescent by encouraging him or her to engage in asocial or illegal behaviour (art. 145); it was a punishable offence for adults to encourage alcoholism among children or adolescents.

148. Referring to the questions about environmental-protection legislation, the representative cited the provisions of article 329 of the Civil Code and paragraph 1 of article 191 (a) of the Penal Code concerning protection of the environment. It was also indicated that the German Democratic Republic had concluded a number of bilateral agreements on environmental protection. In 1979, the German Democratic Republic had acceded to the Convention on Long-range Transboundary Air Pollution. For years great importance had been attached to training in this field. Thus, there was a school for the protection of nature which trained specialists in conservation.

149. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue with the common objective of implementing the rights recognized in the Covenant.

150. The Committee considered the second period reports of Czechoslovakia under articles 6 to 9 (E/1984/7/Add.25) and under articles 10 to 12 (E/1986/4/Add.15) at its 12th to 15th meetings, held on 16 to 18 March 1987 (E/C.12/SR.12-15).

151. In his introduction of the reports, the representative of the State party pointed out the mutually re-enforcing relationship between the realization of economic, social and cultural rights on one hand and the socialist conception of development and of just, centralized distribution of resources on the other. The enjoyment of human rights, the full development of human capacities for all citizens and their active participation in the economic and public life of the country, he said, were guaranteed by the Constitution of Czechoslovakia and in her legislation as well as through the appropriate mechanisms and plans of action for concrete measures to this end. In this context, the representative referred to a document entitled "The Social and Economic Strategy till the year 2000", which the XVIIth Congress of the Communist Party had adopted, establishing the policies for raising the standard of living and improving conditions of work. He also drew attention to restraints imposed, such as the limits of available national resources, as well as external factors resulting from the international political tensions, the arms race and unequal trade relations.

General observations

152. Members of the Committee congratulated the representative of the State party on the quality and thoroughness of the reports, which had been submitted prior to the deadline, and praised the extensive efforts made for implementing Covenant provisions. Members of the Committee noted the absence of any indication of difficulties encountered in fulfilling obligations under the Covenant and observed that reports by the State party which had been submitted to ILO and to which the report of Czechoslovakia referred (E/1984/7/Add.25, para. 14) were not available to the Committee. In response the representative of the State party offered to provide the relevant document references.

153. As to the content of the reports, several members referred to Czechoslovakian accomplishments in the field of economic, social and cultural rights, including information concerning, inter alia, the eradication of illiteracy and unemployment. In discussing the reports as a whole, information of a general nature was requested about equality between the sexes, and about the relative competence of the two constituent republics of Czechoslovakia and of the Socialist Republic in respect of labour and social security legislation.

154. In his reply, the representative of the State Party quoted provisions of the national Constitution stipulating equality before the law of all citizens, regardless of nationality, race or sex. Men and women must enjoy the same conditions in the family, at work and in public activities. With regard to the competences of the Federation and the two constituent republics, he said that this subject is covered by a special chapter of the Constitution of Czechoslovakia which refers to the division of jurisdiction between the Federation and the republics.

Article 6: Right to work

155. With reference to article 6 of the Covenant, questions were raised concerning assistance given to workers in search of new employment, for example as a result of the introduction of new technologies, the remedies available to workers in the event of summary dismissals or other unjustified termination of contracts, and about workers' freedom of choice, in particular that of women, when seeking, or avoiding, new employment. In connection with some of these questions and those put with regard to article 8, references were made to recent observations by the ILO Committee of Experts on the Application of Conventions and Recommendations with respect to the ILO Convention of 1958 Concerning Discrimination in Respect of Employment and Occupation (Convention No. 111), and on the Committee's observations on the provision of the Czechoslovak Penal Code on parasitism. In particular the principles underlying the dismissal of workers who had signed or supported the so-called "Charter 77" declaration were questioned.

156. The representative of the State party, in response, described the training and other assistance provided to workers looking for jobs. As to dismissals, he described the relevant sections of the Labour Code which list the exact reasons for which notices can be given and the procedures leading thereto, in cases of non-compliance, the workers concerned have access to the courts. He stated that his country judged it necessary to protect women from exposure to certain work conditions, because of their social functions as mothers, and that such protection was considered compatible with the principles of sex equality. With regard to systematic avoidance of work, or parasitism, he observed that the Penal Code was being revised and this concept would eventually be redefined.

157. With respect to the 1985 report of the ILO Committee of Experts the representative stressed that the Committee was a technical body of ILO and reflected only one part of the views of the International Labour Office. The appropriate reference document in this regard is the report of the ILO Conference which is the supreme organ of ILO. It was stated that that report contained no indication of violations of Convention No. 111 by Czechoslovakia.

Article 7: Right to just and favourable conditions of work

158. It was noted that the rate of industrial injuries had dropped from nearly 5 per cent in the 1970s to under 3 per cent in 1983 and an explanation was sought of the higher rate. Similarly, information was requested concerning rest and holiday pay. Clarifications were also sought as to the reasons for the relatively low wages of workers in the cultural, scientific and development sectors who were normally expected to have the highest qualifications, as to the extent of profit-sharing as a form of income, as to the ready availability to workers of wage regulations and the role of workers, unions and management in their formulation, and as to the measures taken to ensure health and safety in the workplace.

159. In replying to questions raised, the representative of the State party provided up-to-date figures of the rate of industrial injuries and occupational diseases, confirming the downward trend indicated in the report. As to the relative frequency, he explained that all accidents, including minor

ones, leading to more than one day of absence from work were recorded in the statistics. Normally, a working week consisted of 5 working days and a total of 40 to 42 hours. Wages paid during official holidays were 50 per cent higher during ordinary holidays and 100 per cent extra for official holidays. The wage range between various categories of workers was analytically based on criteria relating to skills, knowledge, experience, responsibilities, and physical and mental effort, with wages also reflecting labour market forces so that occupations involving danger, dirty conditions or distances covered brought higher income. There was also a linkage in the economic sector between remuneration and the output of enterprises, as evidenced by the phenomenon of profit-sharing which could reach up to 40 per cent of salaries, with collective agreements, consequently the trade unions played an important role in determining and implementing that policy. As to the publication of wage scales, the representative explained that basic wages were published while the remainder was subject to negotiation between the trade unions and individual enterprises.

Article 8: Trade-union rights

160. With reference to the activities of trade unions, further information was requested about the positive legal basis for the establishment of such unions, the importance of voluntary associations, the right to strike and the frequency of strikes, particularly in light of the relevant ILO Conventions to which Czechoslovakia was a party, and the participation by trade unions in management at the legal and practical levels. It was noted that there was one single trade union in Czechoslovakia and members of the Committee wished to know whether any practical or legal difficulties might be encountered by individuals or groups seeking to establish other unions. With respect to the recent sentencing of the leaders of the Czech Jazz Association on charges of illegal commerce further information was sought as to the criteria by which artistic or commercial activities were judged to be illegal. Further information was also sought as to the level of women's participation in trade-unions.

161. Responding, the representative of the State party stated that workers had full rights through membership in such bodies as, inter alia, the Revolutionary Trade Union Movement, co-operative organizations, and sports and cultural associations. Since 1973, the statutes of such organizations did not have to be submitted to the Government for approval. The Movement played a significant role in shaping and implementing national economic, technological and social plans through participation in high-level government meetings and for the purposes of collective bargaining at all stages of the process. Although there were no formal regulations relating to the right to strike, the representative stated that this did not imply that strikes were prohibited, strikes did in fact occur, mostly in connection with remuneration and working conditions, but they did not involve opposing interests as in other countries. In response to the question posed concerning the trial of jazz musicians it was noted that the musicians in question had been prosecuted for the sale of works of art without a licence, which was recognized as an offence in most countries throughout the world.

Article 9: Right to social security

162. With reference to social security, information was requested as to, inter alia, the relative role of the State and trade unions in shouldering the burden. The question was also raised whether free medical care was extended, for example, to hospitalization and medicines.

163. The representative of the State party informed the Committee that all social security benefits were financed by the State and that there were no private or independent social security schemes. He explained further that health care was provided free of charge to all citizens, for foreigners working in the country and in some cases to tourists, the only exceptions being treatment for cosmetic purposes or that requiring costly materials.

Article 10: Protection of the family, mothers and children

164. With reference to article 10, questions were raised and explanations sought about laws regulating marriage and the termination thereof, including the rules about the marriages of minors aged 16 to 18, about the importance of State savings banks and of State subsidies in the granting of loans to young married couples, about the employment of minors, and about the levels of benefits for children and the elderly.

165. The representative of the State party confirmed the decline in marriages and increase in divorces, a phenomenon common to many countries, and indicated some of the reasons. He explained that minors over 16 could apply directly to the courts for permission to marry if the contract of marriage was in keeping with its social purpose, that is the foundation of a family. With reference to the inquiry about the employment of minors, the representative observed that there was nothing contradictory in the matter of contracts of employment and compulsory education up to the age of 16, but young workers were subject to especially close supervision with some types of work being expressly forbidden for adolescents. As to the care of elderly persons, it was explained that Czechoslovakia had a low retirement age, 60 for men and an average of 55 for women, which required extensive services already provided by the Government in addition to pension rights. The State representative also provided detailed information about divorce laws, including measures employed to assist couples in such situations, about loans available to young couples, and about the exact recipients of child benefits.

Article 11: Right to an adequate standard of living

166. In connection with the discussion of the report under article 11, explanations were requested concerning the difference between the terms "personal use", "personal ownership" and "renting" of dwellings (E/1986/4/Add.15, para. 137), as to the classification of dwellings into categories, the criteria and procedures for distribution of State-built apartments, and the availability of State loans or other support to individuals for the construction of their own apartments. With regard to the report's information on food production and food distribution, disappointment was expressed that, although the report dealt with co-operation with FAO, it did not contain references to bilateral co-operation to overcome poverty in many parts of the world.

167. The representative of the State party, in his reply, stated that Czechoslovakia was an active contributor towards both multilateral and bilateral co-operation between countries. He emphasized free technical training and university education offered to students from the Third World. He provided extensive information and statistics about State-owned, locally administered, co-operative and privately-owned housing units and dwellings, as well as about available loans and other assistance. The list of applicants for housing units was drawn up on an objective basis, with priority being given, inter alia, to people rendered homeless by emergencies and to young couples.

Article 12: Right to physical and mental health

168. The extensive data on health conditions and water resources and pollution control, provided in the report, was said to attest to the scientific approach applied by Czechoslovakia in matters relating to the implementation of article 12.

169. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Union of Soviet Socialist Republics (arts. 10-12)

170. The second periodic report (E/1986/4/Add.14) of the Union of Soviet Socialist Republics on the rights covered in articles 10 to 12 of the Covenant was considered by the Committee at its 16th to 18th meetings, held on 18 and 19 March 1987 (E/C.12/1987/SR.16-18). The report was introduced by the representative of the reporting State.

171. After stating that, as far as the USSR was concerned, the adoption of the two International Covenants on Human Rights had been a great achievement of the United Nations, the representative of the USSR emphasized that all human rights were inseparable and she also stressed that economic, social and cultural rights were still the foundation for the exercise of civil and political rights. From that standpoint, the twenty-seventh Congress of the CPSU had set as its objective the development of the entire range of rights and freedoms and the creation of conditions to promote the well-being of the population. Attainment of this objective was tied into a thorough reshaping of all aspects of Soviet life aimed at perfecting democracy, broadening the role of the people's soviets and the participation of the workers in the overall administration of the country, greater transparency and the strengthening of the affirmation of the law. The realization of this programme would ensure realization of the rights of Soviet citizens, including the rights embodied in articles 10 to 12 of the Covenant, on a qualitatively higher level.

172. In regard to realization of the rights set forth in article 10 of the Covenant, she described the measures taken to strengthen the role of women and the family: in five years, the working conditions of 6 million women had greatly improved and women had been released from the most arduous tasks; a committee of women existed to monitor the laws in force and to take the initiative in proposing draft laws. In the years ahead, the intention was to

apply a large number of measures to strengthen the family and to reconcile maternity and work, namely, 18 months' leave would be granted to mothers after the birth of a child, pre-maternity leave would be increased from 56 to 70 days, medicines would be free of charge for children up to the age of 3, and the number of day nurseries would be increased.

173. With reference to the realization of article 11 of the Covenant, she informed the Committee that, under the Soviet Constitution (article 15), the supreme goal was the fullest possible satisfaction of the material and spiritual requirements of the population and, to achieve that goal, the public authorities allocated four fifths of the national income to improving the well-being of the population. Real income per capita had risen over the past five years by 11 per cent, the average wage for workers by 13 per cent and that of collective farm workers by 29 per cent. In the years to come, it was also planned to increase the wages for some categories of workers still more. One of the fundamental principles of socialist justice, that everyone should be paid in terms of the quality and quantity of his work, was thus fully respected.

174. She also said that, at the twenty-seventh Congress of the CPSU and the Plenum of the Central Committee of the CPSU in 1987, it had been found that there was still room for progress, particularly in regard to housing. Admittedly, there were no homeless people in the Soviet Union, but the objective was to provide individual housing for all families by the year 2000.

175. Referring to the measures taken to ensure the realization of article 12 of the Covenant, she said that the USSR considered that nothing was more important for the citizen than health and it intended to go beyond the measures mentioned in the report. The Soviet Union was endeavouring to strengthen basic services and apply advances in medicine to public hygiene. As an example, she cited the fact that, since June 1985, there had been a 24 per cent decline in deaths from industrial accidents, poisoning and traumatism. The public authorities were endeavouring to ensure better protection at the place of work and had increased expenditure for that purpose by 20 per cent over the period 1980-1985. She said efforts were also being made to ensure stricter compliance with legislation on protection of the environment, thanks to an information campaign at all levels, from the schools upwards.

General observations

176. The Committee commended the Government of the USSR for its report, for its excellent oral presentation and for sending a high-level delegation to present the report to the Committee. It welcomed the readiness of the representative of the USSR to enter into constructive dialogue with the Committee.

177. Members of the Committee noted that the report and the oral presentation attested not only to the positive way in which the Soviet Government was implementing the provisions of the Covenant by ensuring the rights set forth in articles 10 to 12, but also the great progress achieved in the realization of those rights. Some members observed, however, that the statistical information provided in the report was inadequate. It was also said that the

report had been presented in too theoretical a fashion and that it lacked the detail necessary to enable the Committee to determine what progress had been made by the State party.

178. The members asked for additional information on the number of inhabitants, the distribution and density of the population, of the ethnic minorities and the relative importance of agriculture and industry.

179. With reference to article 2 of the Covenant, a question was asked about the present situation of the various nations in the Soviet Union and the special measures taken to ensure their development.

180. More detailed information was requested by members on the allocation of competence as between the Soviet Union and the various constituent republics.

181. A question was raised concerning equality between men and women and the measures taken with a view to ensuring that it was realized.

182. With reference to the interdependence of economic, social and cultural rights and civil and political rights clarification was requested regarding the Party's new programme adopted by the twenty-seventh Conference of the CPSU, in which emphasis was laid on the material foundation for the enjoyment of human rights, since it was considered that the realization of some rights should not be a prerequisite for the realization of the others.

183. In response, the USSR representative stated that the Soviet Union had consistently advocated an integrated approach to the implementation of the International Covenants on Human Rights. It had supported General Assembly resolution 32/130 of 16 December 1977, which had paired the implementation of Covenants, and it had always opposed the adoption of a selective approach to the exercise of the rights set out in the Covenants. She emphasized her Government's view that economic, social and cultural rights were the basis for the realization of civil and political rights, noting at the same time that the notion of the interdependence of those rights was underlined in the Constitution of the Union of Soviet Socialist Republics.

184. Taking up the question of the allocation of competence, she referred to article 73 of the Constitution of the USSR, establishing the principles for allocating competence as between the Union and the federated republics.

185. In regard to equality between men and women, it was pointed out that the Constitution and the corresponding legislation not only proclaimed but also guaranteed such equality. Women had rights equal to those of men in the economic, political, social, cultural and other fields of life in Soviet society. However, in a number of branches of industry, certain types of work which were too arduous or harmful to health were forbidden for women. The density of the population varied considerably, ranging for the country as a whole from 12.5 individuals per square kilometre to 1.7 in some areas.

Article 10: Protection of family, mothers and children

186. The members of the Committee stated that it was clear that the rights provided under article 10 of the Covenant were well safeguarded, but at the same time additional information was needed on a number of subjects.

187. With regard to the statement that the employment of persons under the age of 16 was prohibited, yet persons who had reached the age of 15 might be employed in exceptional cases, the question was raised as to what were such exceptional cases.

188. It was also asked whether the children of unmarried couples had the same rights as the children of married ones. More information was requested by several members on the role of the father in bringing up and educating children and whether the father would be eligible for the same benefits which were provided for working mothers.

189. The question was asked whether it was possible to contract marriage by proxy and whether it was possible for a foreigner not residing in the USSR to marry a Soviet citizen.

190. Some members wished to have more information on the role of boarding schools, their number, the total proportion in the overall number of educational establishments and their cost in relation to that of the other educational establishments.

191. More information was requested on the current reform of the system of education. Several members asked about the present rate of divorce.

192. A few members asked whether certain factors affected the more or less privileged situation of mothers and about the situation of single mothers and mothers of children born out of wedlock. The wish was also expressed for more details on the reasons for the advantages granted to single mothers.

193. Reference was also made to the development of the concept of the legitimate and the natural family in the USSR and information was requested on that subject.

194. The representative of the USSR, in response to questions, said that child labour was forbidden under article 74 of the fundamentals of the labour legislation of the USSR and the Union republics. Children under 15 years of age could none the less engage in an activity which was intended to prepare them for an occupation. In principle, it was forbidden to employ adolescents under 16, an age at which they were continuing their secondary education. Exceptionally, authorization could be given in some cases by the Ministry of Education, so as to employ young people at the age of 15 in certain types of work, with the consent of the trades union committee of the enterprise concerned. Such authorizations were given only on very limited grounds, generally speaking for mentally deficient adolescents who could not expect to complete their secondary education, for whom it would be pointless to remain at school and for whom entry into working life was preferable.

195. She confirmed that the rate of divorce, which was 1.4 per cent of married couples per year, was stable, but it was regarded as high and a matter of concern to the authorities.

196. There was no difference in status between illegitimate and legitimate children. Special measures were taken in favour of single mothers and in favour of the children of single parents.

197. With reference to the question of the educational reform, it was pointed out that the reform was aimed essentially at improving the content of education, so as to provide young people with the best possible training and to prepare them for occupations in the future. In the case of higher education, legislation in course of preparation planned to give enterprises a more important role than in the past in the training of highly-qualified specialists.

198. As for unregistered marriages, no statistics were available on the subject, and it was held that it was a personal matter for individuals. However, it should be noted that such marriages were not viewed as families for administrative or legal purposes. Marriage by proxy did not exist.

199. If a man was performing the tasks normally done by a woman, for example raising a child, he was entitled to the same rights and benefits, including days off to care for sick children and priority in the allocation of annual leave during the summer.

200. About one third of all schoolchildren attended boarding schools, most of which were extended day schools; full boarding schools were fewer and had recently been reduced in number. Boarding schools existed for children whose parents travelled a great deal and who had no other close relatives. On the other hand, it was indicated that about 500,000 children were in orphanage boarding schools.

Article 11: Right to an adequate standard of living

201. In view of the important role that social consumption funds played in the Soviet Union, it was asked how they functioned and were financed. Some members wanted more information on the purchasing power of the minimum wage. The question of the homeless was also raised.

202. Reference having been made to the general trend in the mobility of workers, it was asked whether, in the USSR, workers who stayed in the same sector benefited from special bonuses.

203. More information was requested on the Government's policy towards retired persons and their participation in productive activities.

204. In reply to the questions, the representative of the USSR stated that social consumption funds were formed from contributions by trade unions, enterprises and allocations from the State budget and were a conspicuous achievement in the Government's social strategy in that they helped to achieve equality of economic and social rights among all citizens, including the less well paid. The social consumption funds were used, inter alia, to provide free education at all levels, vocational training, free medical care, grants and pensions and to finance stays in rest homes, travel and leisure activities. In 1985 alone, 50 per cent of all cash benefits paid to workers had come from those funds. The funds had supplied, for instance, 80 per cent of expenditure on child care in day nurseries and nursery schools, and 100 per cent of expenditure on hospital care. The total amount of these funds in 1986 was 153 billion roubles.

205. As to the real value of the minimum wage, which was 80 roubles a month paid to unskilled workers, and which did not include other benefits from social consumption funds, it was said that it could pay the rent for 10 two-room apartments, accounted for about 3 per cent of the average wage; it could buy 100 kg of bread, 40 kg of meat and 200 litres of milk. People on low incomes could also receive benefits from the social consumption funds in such matters as education and medical care, school uniforms, free meals for children given in schools and free holidays for children in pioneer camps. It was emphasized that no one was hungry, homeless or unemployed in the USSR.

206. In the Soviet Union, the population in general was very mobile, but stability of manpower was much sought after by enterprises, which considered that a worker who stayed a long time in the same place improved his qualifications and, consequently, increased his productivity. For that reason, material advantages were offered to persons who worked for a long period in the same enterprise.

207. With reference to the question of retired persons, the representative of the USSR explained that pensions were granted in terms of wages. Persons who reached retirement age were not obliged to leave their job if they were in good health, and they continued to engage in productive work. Once they were retired, workers could hold a full-time job. Under the new labour legislation, a retired person was entitled to gainful employment and he received his pension and his wage.

Article 12: Right to physical and mental health

208. Some members expressed their wish to know how the individual could in practice avail himself of the various health care, social and cultural and other facilities. It was asked whether persons with deviant opinions were incarcerated in psychiatric institutions, as had been reported, what procedures existed to prevent such abuses and whether recourse procedures were available to persons whose right to health had thus been violated. Details were requested on the situation regarding drug abuse and whether drug addicts were regarded as delinquents and punished as such, or as victims.

209. Noting that health was a priority field for the Soviet Union and that a special effort was being made in regard to preventive medicine, it was asked whether there were any regulations on the functioning of spas and health centres and on the stay and treatment of patients in such places.

210. A wish was expressed for information as to what environmental protection measures had been taken in connection with the possible consequences of the use of nuclear energy for peaceful purposes.

211. The question of the birth rate was raised and additional statistical information was requested.

212. It was said that it would be desirable to learn whether medical care and medicaments were available to all Soviet citizens on an equal footing, given the extent of Soviet territory and the difficulties that might occur in this regard for the population in remote areas.

213. The representative of the USSR, referring to the questions on the right to health raised in the discussion, gave details on this subject, pointing out, more particularly, that in the Soviet Union there were 130 hospital beds and 142 doctors per 10,000 inhabitants. She emphasized that they were not the only indications of the high level of health services in the USSR and that qualitative aspects were also a major concern of the Soviet State, which was planning to improve the management of health services, to engage in greater effort and to assign more resources to the supply of health care, and to extend health coverage.

214. In regard to the quality of the services supplied in the different regions, she said that, despite the difficulties of providing care for the population in the areas far removed from regional centres or capitals, treatment was equal for all of the population, irrespective of the regions in which they lived.

215. The birth rate differed from region to region. The average rate for the country as a whole had been 19.4 per cent in 1985, and had been 16.5 per cent in the RSFSR, 15 per cent in the Ukraine, 37.2 per cent in Uzbekistan and 36 per cent in Turkmenia.

216. As for the question concerning preventive measures taken in order to protect the environment from the eventual hazards linked with the peaceful uses of nuclear energy in the light of the Chernobyl accident, it was stated that this accident clearly showed what could happen if atomic energy went out of control. As for Chernobyl, the fourth reactor had been shut in a container and release of radioactive material had been halted. A series of protector devices had been installed to prevent any leakage of radioactive materials into ground water. Since the accident, much work had been done at the national level to assess the operational safety of nuclear power stations, as well as a number of other measures which were taken, at the initiative of the USSR, at the international level.

217. As for medical care provided for the patients in hospitals and other medical institutions and supervision on their functioning, it was stated that all such institutions in the Soviet Union were closely supervised and each republic bore responsibility for medical care. They were monitored by the local authorities, the Soviet People's Deputies' health commissions, members of which were independent and had basic medical training; the office of the Prosecutor at all levels also had wide powers in this field. In this connection, reference was made to article 36 of the Fundamentals of the legislation on care of public health and to articles 8 and 56 of the Law of the Russian Soviet Federative Socialist Republic.

218. The representative of the USSR informed the Committee about the order of hospitalization of patients in psychiatric institutions and on the controls applied in this field and stated that allegations about the so-called incarceration of patients in such institutions for their opinion did not correspond to reality.

219. As for drug addiction, it was said that at the present time it was not a serious problem, but the Government was nevertheless aware of its potential hazards and was waging a major information campaign. Drug addicts were not subjected to prosecution but their condition was viewed as a disease for which

they should seek treatment and clinics and hospitals were available for that purpose. However, dealers or smugglers were liable to criminal prosecution. Efforts were made to control the cultivation of the poppy, which was used for medical as well as narcotic purposes, and medicines which could be used as narcotics by young people were sold only on prescription.

220. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Federal Republic of Germany (arts. 10-12)

221. The Committee considered the second periodic report (E/1986/4/Add.10) submitted by the Federal Republic of Germany on articles 10 to 12 of the International Covenant on Economic, Social and Cultural Rights. At its 19th and 20th meetings, held on 20 March 1987 (E/C.12/1987/SR.19 and SR.20).

222. The representative of the Federal Republic of Germany introduced the report and provided additional information. He pointed out that the protection of, and assistance, to the family had been essential facets of his country's policy before the Covenant had entered into force. He said that the principle of special protection for mothers, children and adolescents had been implemented to the greatest extent possible. He added that in the Federal Republic of Germany there were groups whose standard of living was below average, but no country could claim otherwise of its own population. The Government was constantly concerned to improve the standard of living and, at the same time, to reduce the gaps between the underprivileged and the average citizen. The Government had always laid emphasis on environmental protection measures and on health policy. The public was very much attuned to those objectives and demanded a dynamic, future-oriented and consistent policy from the State and the local administrations.

223. He explained that his country had made impressive progress in all the fields regulated by articles 10 to 12 of the Covenant during the seven years covered by the report, but because of the second oil crisis from 1978 to 1979, the unemployment rate had risen steadily. The cost of social services provided by both social welfare institutions and the Government had increased over the period 1979 to 1985. The number of wage earners had fallen by 415,000, while the number of unemployed had grown by over 1.4 million. Annual expenditure on unemployment benefits had exceeded DM 10.5 billion in 1985. Annual expenditure for disability and old-age insurance had increased by over DM 37 billion: a growth rate of nearly 36 per cent. The cost of health insurance had risen by more than DM 31 billion. Expenditure on social assistance had grown even more rapidly, rising to DM 6.6 billion, an increase of 54.6 per cent. As regards revenue, he pointed out that the State's tax revenue had increased by 27.6 per cent from 1979 to 1985, yet gross income of the wage earner had risen at almost the same rate, namely 27.2 per cent. The social security system had paid out much more for social benefits in 1985 than in 1979, whereas the number of wage earners had decreased their income, which served as the basis for calculating social security contributions and formed over one third of revenues. Consequently, social benefits had not improved consistently, as they had during the period 1972 to 1982. He stressed that,

in fact the economic situation, in his country, from 1979 to 1985 had not been homogeneous and provided a number of figures and statistical data illustrating the complexity of the problem.

224. With reference to recent developments in social policy, he drew the Committee's attention to the Parental Allowance and Parental Leave Act, whereby a father or mother was able to stay at home with a child for 10 months with guaranteed protection against dismissal. As to paragraph 25 of the report, on validation of the years spent bringing up a child for the purposes of disability and old-age insurance, he pointed out that the Government had recently decided that benefits should also be extended to mothers born before 1921. He added that economic assistance to the family had been improved by combining tax deductions for dependent children with the provision of family allowances. Thus, single mothers and fathers engaging in professional activity were entitled to deduct from their taxable income the sum they spent for child maintenance, up to DM 4,000 for the first child and DM 2,000 for each subsequent child.

225. Turning to article 12 of the Covenant, he explained that new regulations had been issued on the protection against health hazards connected with the medical use of X-rays. As regards environmental protection various measures have been taken by the Government, including the reorganization of a number of internal departments into one single Ministry of the Environment, National Resource Conservation and Nuclear Safety.

General observations

226. Members of the Committee expressed their gratitude for the readiness of the Government of the Federal Republic of Germany to contribute to a constructive dialogue with the Committee. They commended the comprehensiveness and the manner in which the report had been prepared. The view was expressed, however, that the content of the report could have been more exhaustive if the information orally supplied to the Committee had been incorporated in the report thereby making it more useful for public review. As a general comment, questions were raised as to whether it would not be preferable to break down under separate headings the figures in the table of basic data on social policy contained in pages 2 and 3 of the report. With a view to providing a better idea of the make-up of the population, it was said that it would have been useful to give separate figures for the resident and foreign populations. In view of the importance of establishing bench marks whereby the Committee could ascertain that the rights in question were being enjoyed by all members of the population, it was stressed that there was a need to know from the report whether a significant proportion of the population was living below the subsistence level in any area.

227. With reference to a recent ILO report, 3/ which had indicated that laws in the Federal Republic of Germany sought to exclude from public service people whose political views did not reflect enough fidelity to the "free democratic basic order" (the Berufsverbot laws) the question was raised as to the nature of the Government's response to the ILO report, given that economic and social rights could be effectively recognized only if individuals were free to speak out openly on those rights and in view of the obligation contained in article 2 (2) of the Covenant.

228. As regards the implementation of the articles under review, questions were raised as to the availability of recourse procedures, including access to a court or administrative tribunal and as to the relevant provisions of the Basic Law, and the circumstances under which any of the rights in question were considered to be justiciable.

229. Turning to the question of self-determination, it was regretted that the report did not mention any measure designed to safeguard the right to self-determination as provided under article 1 of the Covenant. In view of the division of Germany after the Second World War, clarification was asked as to the lack of any reference to the question of self-determination.

230. The representative of the Federal Republic of Germany thanked the members of the Committee for their interest. He explained that he would try to give an adequate answer to all the questions although many of them were currently being dealt with by his Government. As regards the statistical data contained in the table on pages 2 and 3 of the report, he explained that it was under his own initiative that they were included in the report to respond to criticisms of previous reports. In this connection, he said that he would welcome any guideline from the Committee as regards the inclusion of statistical data. He added that the table contained, for example, figures concerning employment and unemployment, although the present report covered only articles 10 to 12 and not articles 6 to 9. Regarding the discrepancies between the salaries of men and women, he explained that the differences that appeared on the figures shown on the tables should not be interpreted to mean that men and women doing equal work did not receive equal pay. He stressed that the legislation in the Federal Republic of Germany contained provisions prohibiting discrimination against women.

231. As regards the questions relating to the regulations designed to exclude radicals from public services (Berufsverbot) he felt that question pertained to article 6 of the Covenant. However, he explained that the ILO report on the matter had been issued only a month ago and had included a dissenting opinion. His Government had not given any reaction yet as they have three months to do so or to decide whether they should address the International Court of Justice. He also noted that the European Court of Human Rights, in considering similar cases, had found no violation by the State.

Article 10: Protection of the family, mothers and children

232. With respect to the parental allowance of DM 600 per month, which is granted after maternity until the child is 10 months old, clarification was sought as to whether this allowance was granted to all families without discrimination. Further information was sought over the accident insurance which since 1 November 1977 was provided for the unborn child. Turning to the Act of 13 July 1984 which set up the Foundation for Mothers and Children and which had been designed to channel funds to assist future mothers in financial difficulties, questions were raised as to whether the budget allocated covered mothers alone or mothers and children. With regard to the appropriation of DM 4 million for measures connected with leisure and recreational activity, it was asked whether that was the only sum allocated for that purpose. Detailed information was requested concerning the difficulties encountered by the Government in the implementation of these projects.

233. Regarding the population as a whole, questions were raised as to the main causes of the decline in population growth, the main causes of the high rate of divorces and the measures envisaged by the Government to deal with these problems.

234. A wide range of questions pertaining to the disadvantaged groups of the population, migrant workers and refugees were raised by members of the Committee. It was asked whether the Government or other groups in society regularly undertook surveys of the status of the most disadvantaged sector of the population such as migrant workers, retired and elderly people and the very poor.

235. In view of the large number of foreign workers mentioned in the report, a question was asked as to the kind of policy being pursued by the Government to safeguard the unity, and bring about the reunification of the families of migrant workers.

236. Turning to paragraph 75 of the report which referred to asylum-seekers and the co-operation of the Government with the Intergovernmental Committee on Migration (ICM), questions were raised as to how many requests for asylum or refugee status had been made, what proportion was accepted or rejected, and what body was entitled to rule on the matter.

237. Turning to the protection of young people, questions were raised in relation to the length of working hours authorized under the Protection of Young Workers Act. Various questions were raised in relation to the Protection of Minors Act and the new Act which emphasized the protection of minors against video programmes involving horror, warfare, violence or pornography. For example, questions were asked as to whether a body or a commission composed of competent individuals was set up to establish criteria and select the types of programmes that could be shown without amounting to a form of abusive censorship while at the same time guaranteeing the protection of minors. Information was requested on the type of tribunals that existed to deal with juvenile delinquency.

238. Concerning family problems, questions were raised as to whether there existed any legislative trends towards equality of rights as between legitimate children and children born out of wedlock.

239. In connection with the figures relating to unemployment given in the table (page 2 of the report), detailed information was requested on the efforts made by the Government to overcome the scourge of unemployment and the steps undertaken to integrate young people into the working population. Information was also requested on the legislative and social measures taken to combat the threat of drug addiction to which young people were so vulnerable. Clarification was requested as to why the tax deduction for a dependent child required that the child should be resident in the territory of the Federal Republic of Germany.

240. The representative of the State party said, with respect to the monthly parental allowance of DM 600 which was granted until the child reaches the age of 10 months, that that law was initially introduced for low-income parents but reality had revealed that even wealthy parents might have to incur major financial expenditures during the period following the birth of their child.

Thus the legislation was introduced as a compromise formula. He confirmed that the DM 4 million referred to in paragraph 41 of the report was allocated for leisure and recreational activity. As concerned the length of the working hours of young persons, he explained that in the Federal Republic certain jobs involved training programmes and that was what made the working hours of young persons appear longer.

241. Regarding the protection of adolescents from movies which might have some negative impact on them, he explained that there was no censorship as such but that the movie industry exerted a type of control in indicating what movies appeared appropriate for different age groups. He added that there was also a federal body composed of representatives of the churches, trade unions and other relevant organizations which decided on the films or books to be banned, but as that regulation did not apply to video films, new legislation had been promulgated for that purpose.

Article 11: Right to an adequate standard of living

242. Various questions were asked with respect to the financial situation of workers and the way in which they spent their earnings with particular reference to the two tables, in paragraphs 66 and 67 of the report, reflecting the increase in average monthly wages and salaries.

243. Turning to paragraph 69 of the report according to which the number of foreign workers receiving social assistance had continued to increase and amounted to 235,000 in 1984 and that 1 out of every 11 beneficiaries of social assistance was a foreigner, it was asked whether eligibility for such assistance was guided by the principle of reciprocity. Information was requested on the measures contemplated or undertaken by the Government to cope with wage differences between women and men.

244. In view of international concern about the homeless, statistical data were requested on the number of people with and without housing. Information was requested on the statement in paragraph 125 of the report to the effect that the State played no part in the sickness insurance system which was purely a matter left between the employee and his employer.

245. Turning to the question of social assistance and the assistance that might be granted to foreigners, the representative of the State party pointed out that any persons legally residing in the Federal Republic of Germany could enjoy such assistance, including parental allowance, accident insurance, disability and old age insurance.

246. However, he added that social assistance might be refused to nationals of the European Economic Community and to nationals of countries which were signatories of the Convention of the Council of Europe on social and medical assistance. As regarded asylum seekers and refugees, he said that they might be encouraged to return to their countries of origin, and in some instances they might be granted some assistance if their situations so required. He explained that a foreigner who could no longer support himself or his family might be required to leave the territory of the Federal Republic. Regarding the exact number of foreign workers in the Federal Republic, he said that in 1985 they represented 7.7 per cent of the total active population. Regarding the co-operation between ICM and the Federal Republic of Germany on the return

of foreign workers, he stressed that that co-operation concerned mainly refugees from Latin America who were interested in returning to their respective countries after the restoration of democracy.

247. As to the question whether surveys were regularly carried out with respect to underprivileged groups, he said that it was difficult to determine the limits at which to set the poverty level. He pointed out that unemployment was much higher than among foreign workers than among nationals, as most foreign workers were unskilled workers.

248. With respect to general policy relating to health, he said that recently the efforts of the Government were geared towards preventive measures rather than curative ones only because of the cost of medical care and the deficit affecting medical insurances in many European countries.

249. Regarding the family, he stated that illegitimate and non-officially married couples were not recognized by the State. Consequently, there was no equality of rights between those categories of couples and those legally married.

250. Turning to pensions, he said that that matter should not be regarded as being exclusively between the employer and employee, in order to fulfil its obligations the State might impose some legislation or provide some contribution to old age insurance.

251. Regarding juvenile delinquency, he said that the Government had set out a series of projects for that purpose.

Article 12: Right to physical and mental health

252. With respect to the right to health, and with reference to a recent report by the advisory Group of Experts on Health in the framework of what was known as "concerted action" the report argued that health policy placed too much emphasis on cure instead of prevention, with too much focus on broad macro-financial dimensions rather than on the extent to which individuals could achieve satisfactory access to health care. Further information was requested in that regard.

253. Information was requested on the development of any legislative action or moral thinking relating to children born from artificial insemination or surrogate mothers.

254. With reference to the impact of environmental policy upon the right to health, questions were raised as to whether there were any major threats to health that necessitated environmental legislation. Information was requested on the dialogue between the State and ecological groups. What preventive measures were taken by the Government since the Chernobyl accident to avoid the occurrence of such a disaster in the Federal Republic of Germany. In this regard, questions were raised as to why the Federal Republic of Germany continued to sell radioactively contaminated food to the third world and why drugs and medicaments for export were manufactured to a lower standard than those intended for domestic consumption. Detailed information was requested

on the compatibility of the recent restrictive measures taken by the Government in relation to the risk of the spread of the acquired autoimmune deficiency syndrome (AIDS) and the right of transit.

255. With respect to artificial insemination or in vitro, the representative of the State party explained that no legislation had yet been adopted on the matter, but a working group has been established to deal with the subject since December 1986 and its conclusions and recommendations are expected by the end of 1987. However, measures are taken to prevent the use of artificial insemination or in vitro for lucrative purposes.

256. Regarding environmental protection, he said certain groups had been very active on the subject and the authorities paid considerable attention to their claims. Following the Chernobyl accident, new preventive legislation had been enacted. Turning to the restrictive measures relating to AIDS, he said that some Länder might prohibit entry into the territory to people affected by such a disease. As to the demographic decline, he said that the main causes of this decline could be attributed to the introduction and extensive use of contraceptive pills. With respect to housing, he explained that some equilibrium has been reached between supply and demand.

257. As regards the family reunification of migrant workers, he said that some restrictive measures have been adopted in this respect, to the effect that only children of migrant workers under the age of 16 would be allowed to enter the territory to join their parents. These measures were taken mainly to prevent an excessive entry of adolescents who would be completely disoriented in the society and whose employment could not be guaranteed. He added that other restrictive regulations had also been imposed on marriage between foreigners living in the Federal Republic of Germany and foreigners living in the countries of origin. Regarding the use of drugs and drug addiction, he recognized that it was a world-wide phenomenon which had its own complexities and the Government was making every effort to cope with the problem. Turning to the high rate of divorce, he said that there were various factors which accounted for the widespread nature of divorce, but one of the main factors might be the detachment of young people from the Church.

258. With respect to the export of contaminated food, the representative noted that the recently proposed sale of contaminated milk had been prohibited by the Government. Government regulations applied to the sale rather than the production of medicines and the issue of banning exports was a complex one because some medicines might have different effects in different regions.

259. In concluding consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Democratic People's Republic of Korea (arts. 6-9 and 10-12)

260. The Committee considered the initial reports of the Democratic People's Republic of Korea relating to articles 6 to 9 (E/1984/6/Add.7) and to articles 10 to 12 (E/1986/3/Add.5) of the Covenant at its 21st and 22nd meetings, held on 23 March 1987 (E/C.12/1987/SR.21 and 22).

261. The reports were introduced by the representative of the Democratic People's Republic of Korea, who also gave a brief supplementary report orally on the measures his Government had taken for the effective implementation of the Covenant.

262. With regard to article 6, the representative emphasized that in his country the assignment of manpower to appropriate jobs reflected the Juche philosophy that everything should be placed at the service of man, to make working life more independent and creative.

263. As to article 7, the representative stated that the Government had set remuneration scales so as to give workers material incentives and allow them to regain any physical and intellectual energies drained at work, to achieve regular reproduction of manpower and to supply the needs of the workers.

264. Concerning article 8, he drew the Committee's attention to the fact that article 53 of the Socialist Constitution guaranteed citizens freedom of expression and of the press, freedom of assembly and of associations, and freedom to demonstrate, and that the State guaranteed political parties and democratic social organizations the necessary conditions for the free exercise of their activities. He added that the general Federations of Korean Trade Unions comprised nine sectorial unions which included more than 1.6 million workers, technicians and employees, and that it had close links with the World Federation of Trade Unions and other related organizations.

265. With regard to article 12, the representative introduced the figures which had been laid by the Sixth Congress of the Korean Workers' Party on 10 October 1980 as the principal tasks of socialist economic construction for the 1980s and added that when those targets were attained, overall industrial production by the end of the 1980s would be 3.1 times that of 1980, or more than 1,000 times that of 1946.

General observations

266. Some members of the Committee observed that the reports over-emphasized positive developments and gave very little information on problems the State was encountering, and pointed out that information of that kind would be very useful. Some were of the opinion that the reports failed to identify obstacles to further progress in the implementation of the Covenant on Economic, Social and Cultural Rights. It was also pointed out that under the Covenant, aspects of international co-operation were very important; however, the reports failed to make necessary references in this regard.

267. It was asked what the sources for the statistics were.

268. Many members felt that the reference to "a paradise on earth" (E/1986/3/Add.5, para. 1) seemed somewhat inappropriate.

269. It was pointed out that a number of rights to which the reports referred could only be enjoyed when the citizens could choose the way in which they were exercised, but the report did not deal with that issue. In that connection, it was asked whether any recourse procedures were available in the country to the citizens if their rights stipulated by articles 6 to 12 of the Covenant were violated.

270. The representative, in reply, stated that the word "paradise" was simply utilized in order to make a contrast between the present situation and the doomed past, when the people were subjected to feudalism, slavery, servitude and foreign exploitation and domination.

271. The representative added that the Democratic People's Republic of Korea had remarkable international co-operation with other countries and organizations, in particular in the field of agricultural co-operation and assistance.

Article 6: The right to work

272. With reference to that issue, questions were asked as to whether workers had the right to choose their work, how workers were enrolled in State institutions or enterprises or transferred to other working factories and enterprises, who took the final decision on where the individual was to be placed in the employment market and whether there was any proper machinery for appealing against such a decision.

273. Information was requested as to what could warrant dismissal from work and whether those reasons were defined by law.

274. It was pointed out that, although report E/1984/6/Add.7 referred to the expansion of the number of factory colleges, it did not specify how many existed at present. More information was requested on educational opportunities before and after compulsory education.

275. The representative explained that compulsory education in his country consisted of one year of pre-schooling, four years of primary schooling and six years of secondary schooling. He also said that the country had launched a programme of "intellectualization", in which all the members of the society had to receive higher education. He added, in that connection, that since higher education in his country had links with different sectors of production, students would be able to plan their future better. He added that there was an organ which examined the candidates that wished to change their work.

276. With regard to higher education, he stated that in 1984 there were 216 universities and higher institutes of a general character and 566 specialized high schools.

277. He reiterated, in reply, that there was no unemployment, as no one wished to remain inactive in his country, though the right not to work and the right to change one's work were guaranteed.

278. He also pointed out that in his country there were no racial minorities and that foreigners enjoyed the same rights as Korean workers.

Article 7: Right to just and favourable conditions of work

279. With reference to those issues, members of the Committee wished to know how the principle of equal remuneration for equal work was applied irrespective of sex, age or nationality in the Democratic People's Republic of Korea. It was also asked whether a minimum wage existed. As to safe and

healthy working conditions, the question was asked as to how "workers' safety months" (E/1984/6/Add.7, para. 48) were nationally observed and implemented.

280. The representative, in reply, stated that the average monthly salary of workers had been 70 won in 1974 and 90 won in 1978, and that the income of workers was determined by the quality and quantity of their production, so that workers with experience and expertise were paid more than other workers.

Article 8: Trade-union rights

281. With reference to those issues, it was pointed out that the right to organize a trade union had not been mentioned in the report.

282. Some members of the Committee wished to know the extent to which the right to strike was implemented in the country, and whether the right not to join a trade union was recognized. It was also asked whether trade unions were freely allowed to affiliate with international trade union federations. Information was sought as to what percentage of workers were trade union members, and what role the trade unions in the country played in protecting the interests of the workers.

283. It was also asked whether any opposing viewpoints were expressed in the country with regard to the choice of official economic and social policies.

284. Some members asked for clarification of the meaning of the sentence "Workers, technicians and office employees, as citizens of the Democratic People's Republic of Korea, can join a trade union once they recognize the programme and rules of Korean trade unions and strive to implement them" (E/1984/6/Add.7, para. 66).

285. The representative explained that there were 1,600,000 members in the general Federation of Trade Unions, that 35 per cent of those were young people, and that 60 per cent were men and 40 per cent were women. He also said that trade unions in his country might be slightly different from the ones in the Western countries, as Korean trade unions existed for the benefit of workers, enterprises and their country.

Article 9: Right to social security

286. Information was sought about the nature of the "specified length of service" (E/1984/6/Add.7, para. 81) required for receipt of an old-age pension.

Article 10: Protection of the family, mothers and children

287. With regard to those issues, members wished to have more detailed information about the conditions and procedures for contracting marriage. In that connection, it was asked whether the Korean tradition still dictated that a man and a woman who bore the same family name could not marry. The average age for marriage in the country was also asked. Information was sought as to whether there was an increase or a fall in the rate of divorce.

288. Concerning maternity leave, it was asked what the main reasons were for having decided to expand the period of maternity leave from 77 to 150 days. Members also asked whether there were family planning centres available to

married couples, and what the current birth rate in the country was. With regard to the protection of children, it was asked whether juvenile delinquency was a problem in the country and whether some children had to work during their school holidays or after school.

289. It was asked what concrete measures the Government had taken to totally eliminate exploitation, neglect and discrimination against children in the country, as was indicated in the report (E/1986/3/Add.5, para. 25).

290. The representative affirmed that citizens who had reached the age of 16 could get married even without their parents' consent, and that divorce was very rare in his country. He also emphasized that there was no juvenile delinquency in his country.

291. He added that in 1982, the birth rate for 1,000 habitants was 21.9 and mortality rate was 4.3 for 1,000, and that the natural population growth rate was 17.6 for 1,000.

Article 11: Right to an adequate standard of living

292. With regard to that issue, it was asked who reviewed the material and cultural standards achieved by the country and what the criteria were.

293. The representative stated, in reply, that distribution of housing facilities was carried out by the Housing Office of the People's Committee of each province or town.

Article 12: Right to physical and mental health

294. With reference to those issues, members wished to know to what extent the national budget allocated resources to the promotion and protection of the right to physical and mental health.

295. It was asked which countries and organizations, besides the Democratic People's Republic of Korea, were involved in "world-wide efforts toward self-sufficiency in food" (E/1986/3/Add.5, para. 40).

296. Details on the penalties under the new law of 9 April 1986 for causing environmental pollution were requested.

297. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

III. FORMULATION OF SUGGESTIONS AND RECOMMENDATIONS OF A
GENERAL NATURE BASED ON CONSIDERATION OF REPORTS
PRESENTED BY STATES PARTIES TO THE COVENANT AND BY
SPECIALIZED AGENCIES IN ORDER TO ASSIST THE COUNCIL
TO FULFIL ITS RESPONSIBILITIES UNDER THE COVENANT

A. General observations

298. At its 22nd to 24th meetings, held on 23 and 24 March 1987, the Committee considered items 5, 7 and 8 of its agenda. Discussion was based upon: (a) the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights (E/1986/49), to which the Committee's attention had been drawn by the Secretary-General in accordance with paragraph 6 of Economic and Social Council resolution 1986/3, of 21 May 1986; (b) a compilation of recommendations prepared by the Rapporteur, at the request of the Bureau, on the basis of suggestions given to him by some members of the Committee (see E/C.12/1987/SR.28, para. 12); and (c) other proposals put forward by members of the Committee.

(a) General matters

299. The Committee considered that the continuous promotion and exercise of human rights and fundamental freedoms was closely linked to the achievement of international peace. Therefore it was of paramount importance that all Member States promoted and fully respected the human rights and fundamental freedoms of all, in accordance with Article 1 of the Charter of the United Nations. The Committee reaffirmed that all peoples and all individuals had an inherent right to life and that the safeguarding of that cardinal right was an essential condition for the enjoyment of the entire range of economic, social and cultural rights, as well as of civil and political rights.

300. In view of the fact that further promotion of human rights and fundamental freedoms required new efforts by all States towards universal accession and implementation of the International Covenant on Economic, Social and Cultural Rights, the Committee recommended that the Economic and Social Council reiterate its appeal to Member States to ratify or accede to the Covenant.

301. The Committee recognized that many States Members of the United Nations, in spite of all the efforts they were making, faced special difficulties in promoting the full enjoyment of economic, social and cultural rights. Among the sources of those difficulties was the insufficient level of socio-economic development in those States; the difficulties were often compounded by circumstances beyond their control.

302. In view of those special difficulties, the Committee reiterated that the progressive implementation of the Covenant was closely linked to the development process of each country, thus requiring a favourable international context. In that connection, the Committee expressed its serious concern at the widening gap between developed and developing countries, as well as at the heavy burden of external indebtedness suffered by the peoples of Latin America, Asia and Africa. In that respect, the Committee reiterated its deep concern about the negative impact of the current international economic situation,

particularly on developing countries and, in that context, stressed the importance of further strengthening international co-operation for development and an equitable and just economic order.

303. The Committee considered that that negative economic context, as well as the level of development of each country, should be taken into account when considering the reports submitted by States parties to the Covenant. The Committee stressed that the presentation of a report should be viewed as an opportunity for dialogue between the Committee and the Governments of the States parties, directed to the better understanding of their efforts and achievements, as well as the obstacles and problems that many States parties faced in the progressive implementation of the Covenant, with a view to assisting them, if they wished, in overcoming those obstacles.

304. The Committee paid special attention to the fact that 1987 had been proclaimed the International Year of Shelter for the Homeless and considered that the objective was to improve the shelter and neighbourhoods of some of the poor and disadvantaged by the end of 1987, according to national priorities, and to demonstrate by the year 2000 ways and means of improving the shelter and neighbourhoods of the poor and disadvantaged. It expressed deep concern that millions of people did not enjoy the right to housing and reiterated the right of all persons to an adequate standard of living for themselves and their families, including adequate housing.

(b) Submission of reports by States parties

305. At the request of the Committee, the representative of the Secretary-General provided information with respect to item 5 of the agenda in order to up-date the information contained in E/C.12/1987/3. In its discussion of this issue, the Committee expressed serious concern about the non-submission and extended delays in the submission of reports by States parties. Particular attention was drawn to General Assembly resolution 41/121 of 4 December 1986, on reporting obligations under United Nations instruments in the field of human rights and to the relevant recommendations contained in the 1986 report of the Sessional Working Group (E/1986/49). Suggestions were made as to a possible improvement of the format used by the Secretary-General to indicate the current status of the submission of reports and to the possibility that the Secretary-General might inform States of the opportunity of seeking expert assistance in the context of the advisory services programme in order to advise them on the presentation of their reports under the Covenant if they so wished.

306. The Committee was informed that three subregional training seminars for governmental officials involved in preparing reports under the two Covenants had been held and some members of the Committee noted the desirability of additional seminars of that nature in the future.

(c) The content of States parties reports and of the reporting guidelines

(i) The reporting guidelines

307. The Committee's discussion on the reporting guidelines was based upon a proposal contained in the compilation of recommendations prepared by the Rapporteur (see E/C.12/1987/SR.28, para. 12).

308. It was argued that the existing guidelines were excessively broad and forbidding and failed to emphasize the need for particular types of information which would enable the Committee to carry out its task effectively. It was suggested that the guidelines be revised so as to achieve that goal as well as to reflect the recommendations contained in the 1986 report of the Sessional Working Group (E/1986/49) and the issues which members of the Committee had highlighted at its current session. However, other members stated that the existing guidelines were adequate, that it would be premature to undertake their revision at the stage when the Committee was only beginning its work and that, in any event, the standards contained in the Covenant spoke for themselves and did not need amplification.

309. There was general agreement that the Committee's recommendations to the Council should reflect the recommendations on the subject contained in the 1986 report of the Sessional Working Group, with appropriate modifications in the light of the discussion.

(ii) Sources of information

310. In considering the sources of information available to the Committee it was generally agreed that the concerns reflected in the compilation of recommendations prepared by the Rapporteur could be adequately dealt with by adopting a formula similar to that contained in paragraph 13 of General Assembly resolution 41/119 of 4 December 1986 (dealing with the Human Rights Committee). With respect to the provision of statistical data relevant to the Committee's consideration of States reports it was noted that such information would be extracted only from official United Nations sources and would not involve the preparation of any special reports by the Secretariat. While many members stressed the importance of the availability of adequate information, several members considered that proposals to receive such information from official United Nations sources could create the impression that the Committee questioned the statistical data presented in accordance with the reporting guidelines by States parties. It was also said that the Secretariat should not be left in the position of judging what information would be appropriate.

311. With respect to the contribution of the specialized agencies it was agreed to adopt a recommendation based on paragraph 12 of General Assembly resolution 41/119.

(iii) The role of non-governmental organizations

312. The Committee's discussion on this issue was based upon a proposal contained in the compilation of recommendations prepared by the Rapporteur.

313. In support of the proposal it was argued that a diversity of sources of information was essential to the effective work of the Committee, that it would be incongruous to begin singling out specific Council bodies (such as the Committee) to whom non-governmental organizations would be denied access, and that Council resolution 1296 (XLIV) of 23 May 1968 clearly created a generally applicable régime which could only be negated by a specific decision

to that effect by the Council. Moreover it was said to be preferable to have NGO documents openly available to members who could decide to accept or reject the validity of the information rather than to force NGOs to distribute their documentation to Committee members in a clandestine fashion. In opposition to the proposal it was said that the relevant Council decisions (decision 1978/10 of 3 May 1978, as recalled in the preamble to resolution 1984/9 of 24 May 1984), which were confirmed by Council resolution 1985/17 of 28 May 1985 establishing the Committee, laid down the procedures and methods of the work of the Committee, made it clear that interested NGOs could "attend" the meetings but could not participate to any greater extent and that a subsequent specific resolution (1984/9) must be considered to override an earlier general resolution (1296 (XLIV)). In view of strong opposition to the proposal by some members of the Committee a compromise was agreed upon whereby the issue would be referred to the Council for a decision. Some members noted that the request only envisaged written and not oral statements being made by NGOs and that all the relevant rules would have to be complied with.

(d) Future programme of work

314. In reviewing the Committee's programme of work, the Chairman drew attention to paragraphs 11, 13 and 14 of the compilation of recommendations prepared by the Rapporteur as a basis for discussion. It was pointed out that the Committee's workload, combined with the need to give serious consideration to each State's report, would make it impossible to deal with more than 12 reports in a three-week session. Proposals were made to recommend a longer session of up to six weeks or two sessions of three weeks per year. However, in view of the financial crisis of the United Nations it was agreed that a recommendation for a four-week session would have to suffice. At the same time it was said that time limits should be observed by Committee members during the consideration of each State's report, that the representatives of States should be given a specific time limit for their introductions and responses, that they should take at least half a day before responding and that the Committee members should avoid duplication of questions or comments.

315. With regard to the ideal timing of the next session, a number of general proposals were put forward. It was generally agreed that the scheduling of the session should take into account factors such as the availability of adequate Secretariat services, the desirability of avoiding a clash with other relevant meetings organized by the United Nations or the specialized agencies, and the need for the Committee's report to be submitted to the Council in good time.

(e) Substantive issues

316. It was proposed that the Committee should reiterate the views expressed in 1986 by the Sessional Working Group (E/1986/49, paras. 22-27). After a brief discussion, the Rapporteur was requested to draw up an abbreviated compromise text (see paras. 299-304 above).

B. Suggestions and recommendations of a general nature approved by the Committee at its first session

317. The Committee approved the following suggestions and recommendations of a general nature:

(a) With regard to the submission of reports

318. The Committee stressed that the fulfilment of reporting obligations constituted an essential element of co-operation by States parties in contributing to the assessment of their implementation of the Covenant. The Council may wish to:

- (a) Remind States parties of their obligation to submit the reports required under article 16 of the Covenant in accordance with the programme established by the Council in resolution 1988 (LX) of 11 May 1976, and to urge States parties which have not yet done so to submit their initial reports and to inform the Committee on Economic, Social and Cultural Rights when those reports would be submitted,
- (b) Urge States parties to the Covenant to cover the entire cycle of initial reports before submitting second periodic reports and, furthermore, to instruct the Committee not to consider second periodic reports if the above condition has not been met,
- (c) Draw the attention of reporting States to the views expressed by members of the Committee during the consideration of their reports, as contained in the summary records of the Committee's meetings, so that those views might be taken into account in the preparation of their future reports under the Covenant,
- (d) Encourage States parties to present their reports to the Committee at the earliest possible session and avoid postponements in order to ensure the timeliness of reports and save the expense of printing supplementary reports to update information,
- (e) Note that the Committee expressed serious concern about the non-submission and extended delays in the submission of reports, urge the States parties that have not yet done so to submit their reports as soon as possible, and request the States parties to inform the Council of any difficulties that they might face in the preparation and submission of reports under the Covenant,
- (f) Emphasize the need, in view of the difficulties a number of States parties might be experiencing in submitting reports on a timely basis, for the Secretary-General to devise and implement a programme of advisory services and technical assistance for those States parties that might request such assistance,
- (g) Request the Secretary-General to send appropriate reminders to States parties which have two or more reports overdue, requesting them to submit their reports as soon as possible.

(b) With regard to the content of reports

319. The Committee, bearing in mind its responsibilities, and having taken account of General Assembly resolution 41/121, other relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, and the 1986 report of the Sessional Working Group of Governmental Experts (E/1986/49), decided to consider at its next session the improvement of the reporting guidelines (E/C.12/1987/2). The Committee will appoint a sessional working group at the beginning of its session to assist it in undertaking this task. In addition, the Committee recommends that the Council:

- (a) Request the Governments of States parties, in preparing their reports, to comply with the guidelines established by the Secretary-General concerning the form and content of reports, taking into account the relevant resolutions and decisions adopted by the General Assembly and the Economic and Social Council on the control and limitation of documentation, and should also limit their reports to a reasonable length,
 - (b) Request States parties to submit balanced reports, which should be more than a mere transcription of legislative or administrative measures or a reproduction of detailed statistical data in narrative form,
 - (c) With a view to facilitating consideration of country reports and ensuring that the progress made in achieving the observance of the relevant provisions of the Covenant is assessed in the proper overall context, request States parties to provide in their reports a brief introduction containing general information on the country in question, such as its area, the size and composition by sex and by age of its population, as well as other demographic characteristics, and data on the country's basic economic, social and constitutional conditions. Likewise, States parties should also provide statistical information and brief descriptions of the content of legislative and administrative acts to assist the Committee in evaluating trends in development with a view to achieving progressively the full realization of the rights recognized in the relevant articles of the Covenant, and
 - (d) Recalling its resolution 1988 (LX), call upon States parties to pay attention, in preparing their reports, to the principles laid down in parts I and II, articles 1 to 5, of the Covenant.
- (c) With regard to the availability of information to the Committee

320. The Council may wish to:

- (a) Request the Secretary-General to keep the Committee on Economic Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination

and the Committee on the Elimination of Discrimination against Women and also to transmit the annual report of the Committee on Economic, Social and Cultural Rights to those bodies,

(b) Request the Secretary-General to provide a compilation, from official United Nations sources, of statistics relevant to the Committee's consideration of the reports of States parties.

(d) With regard to the role of the specialized agencies

321. The Council may wish to urge the specialized agencies to extend in accordance with the Covenant their full support and co-operation to the Committee on Economic, Social and Cultural Rights.

(e) With regard to the role of non-governmental organizations

322. The Committee requests the Council to advise it as to whether Economic and Social Council resolution 1296 (XLIV) can be considered to be applicable to the Committee so as to authorize non-governmental organizations in consultative status to submit written statements to the Committee in conformity with the relevant rules.

(f) With regard to future sessions of the Committee

323. Bearing in mind the relevant provisions of Economic and Social Council resolution 1985/17, the importance of the International Covenant on Economic, Social and Cultural Rights, the responsibilities of the Committee on Economic, Social and Cultural Rights, the fact that as of March 1987 there were already 20 States reports pending before the Committee's next session, and in order to permit adequate time to be devoted to the consideration of reports, the Committee recommends that it be authorized to meet for up to four weeks at its next session.

IV. ADOPTION OF THE REPORT

324. At its 25th to 28th meetings, held on 26 and 27 March 1987, the Committee considered its draft report (E/C.12/1987/CRP.1, CRP.2 and Add.1 to 12 and CRP.3) to the Economic and Social Council on its first session. The Committee adopted the report as amended in the course of the discussions.

Notes

- 1/ See Council decision 1986/150, paragraph 2.
- 2/ CERD/C/131/Add.10.
- 3/ GB. 235/4/7.

ANNEXES

Annex I

STATES PARTIES TO THE COVENANT AND STATUS OF SUBMISSION OF REPORTS IN ACCORDANCE WITH THE
PROGRAMME ESTABLISHED BY ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1988 (LX)

(as of 27 March 1987)

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) a/	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) a/	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) a/	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) b/
1. Afghanistan	24 April 1983	E/1984/6/Add.12	Overdue	<u>c/</u>	-	-
2. Argentina	8 November 1986	<u>c/</u>	<u>c/</u>	<u>c/</u>	-	-
3. Australia	10 March 1976	E/1978/8/Add.15	E/1980/6/Add.22	E/1982/3/Add.9	E/1984/7/Add.2	E/1986/4/Add.7
4. Austria	10 December 1978	E/1984/6/Add.17	E/1980/6/Add.19	E/1982/3/Add.37	-	E/1986/4/Add.8 and Corr.1
5. Barbados	3 January 1976	E/1978/8/Add.33	E/1980/6/Add.27	E/1982/3/Add.24	Overdue	Overdue
6. Belgium	21 July 1983	Overdue	Overdue	<u>c/</u>	-	-
7. Bolivia	12 November 1982	Overdue	Overdue	<u>c/</u>	-	-
8. Bulgaria	3 January 1976	E/1978/8/Add.24	E/1980/6/Add.29	E/1982/3/Add.23	E/1984/7/Add.18	E/1986/4/Add.20
9. Byelorussian SSR	3 January 1976	E/1978/8/Add.19	E/1980/6/Add.18	E/1982/3/Add.3	E/1984/7/Add.8	E/1986/4/Add.19
10. Cameroon	27 September 1984	<u>c/</u>	Overdue	<u>c/</u>	-	-
11. Canada	19 August 1976	E/1978/8/Add.32	E/1980/6/Add.32	E/1982/3/Add.34	Overdue	Overdue
12. Central African Republic	8 August 1981	Overdue	Overdue	Overdue	-	-
13. Chile	3 January 1976	E/1978/8/Add.10 and 28	E/1980/6/Add.4	E/1982/3/Add.40	E/1984/7/Add.1	E/1986/4/Add.18
14. Colombia	3 January 1976	E/1978/8/Add.17	E/1986/3/Add.3	E/1982/3/Add.36	E/1984/7/Add.21/ Rev.1	Overdue
15. Congo	5 January 1984	<u>c/</u>	Overdue	<u>c/</u>	-	-
16. Costa Rica	3 January 1976	Overdue	Overdue	Overdue	-	-
17. Cyprus	3 January 1976	E/1978/8/Add.21	E/1980/6/Add.3	E/1982/3/Add.19	E/1984/7/Add.13	E/1986/4/Add.2
18. Czechoslovakia	23 March 1976	E/1978/8/Add.18	E/1980/6/Add.21	E/1982/3/Add.18	E/1984/7/Add.25	E/1986/4/Add.15
19. Democratic People's Republic of Korea	14 December 1981	E/1984/6/Add.7	E/1986/3/Add.5	<u>c/</u>	-	-

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) <u>a/</u>	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) <u>a/</u>	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) <u>b/</u>
20. Democratic Yemen	9 May 1987	<u>c/</u>	<u>c/</u>	<u>c/</u>		
21. Denmark	3 January 1976	E/1978/8/Add.13	E/1980/6/Add.15	E/1982/3/Add.20	E/1984/7/Add.11	E/1986/4/Add.16
22. Dominican Republic	4 April 1978	Overdue	Overdue	Overdue	-	-
23. Ecuador	3 January 1976	E/1978/8/Add.1	Overdue	Overdue	E/1984/7/Add.12	-
24. Egypt	14 April 1982	Overdue	Overdue	<u>c/</u>	-	-
25. El Salvador	29 February 1980	Overdue	Overdue	Overdue	-	-
26. Finland	3 January 1976	E/1978/8/Add.14	E/1980/6/Add.11	E/1982/3/Add.28	E/1984/7/Add.14	E/1986/4/Add.4
27. France	4 February 1981	E/1984/6/Add.11	Overdue	E/1982/3/Add.30 and Corr.1	-	-
28. Gabon	21 April 1983	Overdue	Overdue	<u>c/</u>	-	-
29. Gambia	29 March 1979	Overdue	Overdue	Overdue	-	-
30. German Democratic Republic	3 January 1976	E/1978/8/Add.8 and Corr.1	E/1980/6/Add.6	E/1982/3/Add.15 and Corr.1	E/1984/7/Add.3 and 23	E/1986/4/Add.11
31. Germany, Federal Republic of	3 January 1976	E/1978/8/Add.11	E/1980/6/Add.10	E/1982/3/Add.14	E/1984/7/Add.24 and Corr.1	E/1986/4/Add.10
32. Greece	16 August 1985	<u>c/</u>	<u>c/</u>	<u>c/</u>	-	-
33. Guinea	24 April 1978	Overdue	Overdue	Overdue	-	-
34. Guyana	15 May 1977	Overdue	Overdue	E/1982/3/Add.5, 29 and 32	-	-
35. Honduras	17 May 1981	Overdue	Overdue	Overdue	-	-
36. Hungary	3 January 1976	E/1978/8/Add.7	E/1980/6/Add.37	E/1982/3/Add.10	E/1984/7/Add.15	E/1986/4/Add.1
37. Iceland	22 November 1979	Overdue	Overdue	Overdue	-	-
38. India	10 July 1979	E/1984/6/Add.13	E/1980/6/Add.34	Overdue	-	Overdue
39. Iran (Islamic Republic of)	3 January 1976	E/1978/8/Add.2 <u>d/</u>	Overdue	Overdue	-	-

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) a/	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) a/	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) a/	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) b/
40. Iraq	3 January 1976	E/1984/6/Add.3 and 8	E/1980/6/Add.14	E/1982/3/Add.26	-	E/1986/4/Add.3
41. Italy	15 December 1978	E/1978/8/Add.34	E/1980/6/Add.31 and 36	Overdue	Overdue	Overdue
42. Jamaica	3 January 1976	E/1978/8/Add.27	Overdue	Overdue	Overdue	-
43. Japan	21 September 1979	E/1984/6/Add.6 and Corr.1	E/1986/3/Add.4 and Corr.1	E/1982/3/Add.7	-	-
44. Jordan	3 January 1976	E/1984/6/Add.15	E/1986/3/Add.6	E/1982/3/Add.38	-	-
45. Kenya	3 January 1976	Overdue	Overdue	Overdue	-	-
46. Lebanon	3 January 1976	Overdue	Overdue	Overdue	-	-
47. Libyan Arab Jamahiriya	3 January 1976	Overdue	Overdue	E/1982/3/Add.6 and Add.25	-	-
48. Luxembourg	18 November 1983	c/	Overdue	c/	-	-
49. Madagascar	3 January 1976	E/1978/8/Add.29	E/1980/6/Add.39	Overdue	E/1984/7/Add.19	Overdue
50. Mali	3 January 1976	Overdue	Overdue	Overdue	-	-
51. Mauritius	3 January 1976	Overdue	Overdue	Overdue	-	-
52. Mexico	23 June 1981	E/1984/6/Add.2 and 10	Overdue	E/1982/3/Add.8	-	-
53. Mongolia	3 January 1976	E/1978/8/Add.6	E/1980/6/Add.7	E/1982/3/Add.11	E/1984/7/Add.6	E/1986/4/Add.9
54. Morocco	3 August 1979	Overdue	Overdue	Overdue	-	-
55. Netherlands	11 March 1979	E/1984/6/Add.14	E/1980/6/Add.33	E/1982/3/Add.35	-	Overdue
56. New Zealand	28 March 1979	Overdue	Overdue	Overdue	-	-
57. Nicaragua	12 June 1980	E/1984/6/Add.9	Overdue	E/1982/3/Add.31	-	-
58. Niger	7 June 1986	c/	c/	c/	-	-
59. Norway	3 January 1976	E/1978/8/Add.12	E/1980/6/Add.5	E/1982/3/Add.12	E/1984/7/Add.16	E/1986/4/Add.21

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) a/	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) a/	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) a/	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) b/
60. Panama	8 June 1977	Overdue	E/1980/6/Add.20 and 23	Overdue	-	Overdue
61. Peru	28 July 1978	E/1984/6/Add.5	Overdue	Overdue	-	-
62. Philippines	3 January 1976	E/1978/8/Add.4	Overdue	Overdue	E/1984/7/Add.4	-
63. Poland	18 June 1977	E/1978/8/Add.23	E/1980/6/Add.12	E/1982/3/Add.21	E/1984/7/Add.26 and 27	E/1986/4/Add.12
64. Portugal	31 October 1978	E/1984/6/Add.16	E/1980/6/Add.35/ Rev.1	E/1982/3/Add.27/ Rev.1	-	Overdue
65. Romania	3 January 1976	E/1978/8/Add.20	E/1980/6/Add.1	E/1982/3/Add.13	E/1984/7/Add.17	E/1986/4/Add.17
66. Rwanda	3 January 1976	E/1984/6/Add.4	E/1986/3/Add.1	Overdue	-	-
67. Saint Vincent and the Grenadines	9 February 1982	Overdue	Overdue	c/	-	-
68. San Marino	18 January 1986	c/	c/	c/	-	-
69. Senegal	13 May 1978	Overdue	E/1980/6/Add.13/ Rev.1	E/1982/3/Add.17	-	Overdue
70. Solomon Islands	17 March 1982	Overdue	Overdue	c/	-	-
71. Spain	27 July 1977	E/1978/8/Add.26	E/1980/6/Add.28	E/1982/3/Add.22	E/1984/7/Add.2	E/1986/4/Add.6
72. Sri Lanka	11 September 1980	Overdue	Overdue	Overdue	-	-
73. Sudan	18 June 1986	c/	c/	c/	-	-
74. Suriname	28 March 1977	Overdue	Overdue	Overdue	-	-
75. Sweden	3 January 1976	E/1978/8/Add.5	E/1980/6/Add.8	E/1982/3/Add.2	E/1984/7/Add.5	E/1986/4/Add.13
76. Syrian Arab Republic	3 January 1976	E/1978/8/Add.25 and 31	E/1980/6/Add.9	Overdue	Overdue	Overdue
77. Togo	24 August 1984	c/	Overdue	c/	-	-
78. Trinidad and Tobago	8 March 1979	Overdue	Overdue	Overdue	-	-
79. Tunisia	3 January 1976	E/1978/8/Add.3	Overdue	Overdue	Overdue	-

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) <u>a/</u>	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) <u>a/</u>	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) <u>b/</u>
80. Uganda	21 April 1987	<u>c/</u>	<u>c/</u>	<u>c/</u>	-	-
81. Ukrainian SSR	3 January 1976	E/1978/8/Add.22	E/1980/6/Add.24	E/1982/3/Add.4	E/1984/7/Add.9	E/1986/4/Add.5
82. Union of Soviet Socialist Republics	3 January 1976	E/1978/8/Add.16	E/1980/6/Add.17	E/1982/3/Add.1	E/1984/7/Add.7	E/1986/4/Add.14
83. United Kingdom of Great Britain and Northern Ireland	20 August 1976	E/1978/8/Add.9 and 30	E/1980/6/Add.16, and Corr.1, 25 and Corr.1 and 26	E/1982/3/Add.16	E/1984/7/Add.20	Overdue
84. United Republic of Tanzania	11 September 1976	Overdue	E/1980/6/Add.2	Overdue	-	Overdue
85. Uruguay	3 January 1976	Overdue	Overdue	Overdue	-	-
86. Venezuela	10 August 1978	E/1984/6/Add.1	E/1980/6/Add.38	E/1982/3/Add.33	-	Overdue
87. Viet Nam	24 December 1982	Overdue	Overdue	<u>c/</u>	-	-
88. Yugoslavia	3 January 1976	E/1978/8/Add.35	E/1980/6/Add.30	E/1982/3/Add.39	E/1984/7/Add.10	Overdue
89. Zaire	1 February 1977	E/1984/6/Add.18	E/1986/3/Add.7	E/1982/3/Add.41	-	-
90. Zambia	10 July 1984	<u>c/</u>	E/1986/3/Add.2	<u>c/</u>	-	-

a/ Depending on date of entry into force.

b/ See Economic and Social Council decision 1985/132 of 28 May 1985.

c/ Not yet due.

d/ Withdrawn.

Annex II

MEMBERSHIP OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, 1987-1988

<u>Name of member</u>	<u>Country of nationality</u>	<u>Term expires on</u> <u>31 December</u>
Mr. Philip ALSTON	Australia	1990
Mr. Juan ALVAREZ VITA	Peru	1988
Mr. Ibrahim Ali BADAWI EL SHEIKH	Egypt	1990
Mr. Adib DAOUDY	Syrian Arab Republic	1990
Mr. Mohamed Lamine FOFANA	Guinea	1988
Mrs. María de los Ángeles JIMÉNEZ BUTRAGUEÑO	Spain	1988
Mr. Samba Cor KONATE	Senegal	1988
Mr. Jaime Alberto MARCHAN ROMERO	Ecuador	1990
Mr. Vassil MRACHKOV	Bulgaria	1988
Mr. Alexandre MUTERAHEJURU	Rwanda	1990
Mr. Władysław NENEMAN	Poland	1988
Mr. Kenneth Osborne RATTRAY	Jamaica	1988
Mr. Bruno SIMMA	Federal Republic of Germany	1990
Mr. Mikis Demetriou SPARSIS	Cyprus	1988
Mr. Eduard P. SVIRIDOV	Union of Soviet Socialist Republics	1990
Ms. Chikako TAYA	Japan	1990
Mr. Philippe TEXIER	France	1988
Mr. Javier WIMER ZAMBRANO	Mexico	1990

Annex III

LIST OF DOCUMENTS OF THE COMMITTEE AT ITS FIRST SESSION

<u>Symbol</u>	<u>Title</u>
A/41/510	Reporting obligations of States parties to United Nations conventions on human rights; report of the Secretary-General
E/1984/6/Add.7	Initial reports submitted by States parties to the Covenant concerning rights covered by articles 6 to 9, in accordance with the first stage of the programme established by the Economic and Social Council in its resolution 1988 (LX): Democratic People's Republic of Korea
E/1984/6/Add.14	<u>Idem</u> : Netherlands
E/1984/6/Add.15	<u>Idem</u> : Jordan
E/1984/7/Add.25	Second periodic reports submitted by States parties to the Covenant concerning rights covered by articles 6 to 9, in accordance with the first stage of the programme established by the Economic and Social Council in its resolution 1988 (LX): Czechoslovakia
E/1986/3/Add.5	Initial reports submitted by States parties to the Covenant, in accordance with Council resolution 1988 (LX), concerning rights covered by articles 10 to 12: Democratic People's Republic of Korea
E/1986/3/Add.6	<u>Idem</u> : Jordan
E/1986/4/Add.5	Second periodic reports submitted by States parties to the Covenant 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 its resolution 1988 (LX): Ukrainian SSR
E/1986/4/Add.10	<u>Idem</u> : Federal Republic of Germany
E/1986/4/Add.11	<u>Idem</u> : German Democratic Republic
E/1986/4/Add.14	<u>Idem</u> : Union of Soviet Socialist Republics

<u>Symbol</u>	<u>Title</u>
E/1986/4/Add.15	<u>Idem</u> : Czechoslovakia
E/1986/49	Report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights
E/C.12/1987/1	Selected resolutions and decisions of the Economic and Social Council relating to the implementation of the International Covenant on Economic, Social and Cultural Rights: note by the Secretary-General
E/C.12/1987/2	General guidelines regarding the form and contents of reports to be submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, in accordance with the programme established by Economic and Social Council resolution 1988 (LX): note by the Secretary-General
E/C.12/1987/3	States parties to the International Covenant on Economic, Social and Cultural Rights and status of the submission of reports in accordance with the programme established by the Economic and Social Council in resolution 1988 (LX): note by the Secretary-General
E/C.12/1987/4	Provisional agenda and annotations: note by the Secretary-General
E/C.12/1987/L.1/Rev.1	Draft programme of work: note by the Secretary-General
E/C.12/1987/CRP.1, CRP.2 and Add.1-12, and CRP.3	Draft report of the Committee on Economic, Social and Cultural Rights to the Economic and Social Council in accordance with Council resolution 1985/17
E/C.12/1987/SR.1-28	Summary records of the first to twenty-eighth sessions of the Committee on Economic, Social and Cultural Rights

كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة ، قسم البيع في نيويورك أو في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
