



**Economic and Social Council**

Distr.  
GENERAL

E/1980/6/Add.17  
27 January 1981  
ENGLISH  
ORIGINAL: RUSSIAN

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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,  
SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution  
1988 (LX) by States Parties to the Covenant, concerning  
rights covered by articles 10 to 12

Addendum

UNION OF SOVIET SOCIALIST REPUBLICS

[5 June 1980]

During the period which has elapsed since the Soviet Union's submission in 1978 of its report to the Economic and Social Council on the implementation in the USSR of articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights, 1/ important new legislative and other official acts have been adopted in the Soviet Union which have a direct bearing on safeguarding the rights and freedoms of Soviet citizens, in particular in the economic, social and cultural spheres. They include the following laws of the USSR: "Law on the Council of Ministers of the USSR" of 5 July 1978 (Official Gazette of the Supreme Soviet of the USSR, 1978, No. 28) "Law on citizenship of the USSR" of 1 December 1978 (Official Gazette of the Supreme Soviet of the USSR, 1978, No. 49) and "Law on the further improvement of retirement benefits for collective farm workers" of 6 July 1978 (Official Gazette of the Supreme Soviet of the USSR, 1978, No. 28). The second session of the tenth USSR Supreme Soviet, held in November 1979, devoted considerable attention to the further strengthening of socialist legality and the further improvement of Soviet legislation. The following laws of the USSR were adopted at the session: "Law on popular control in the USSR", "Law on the Supreme Court of the USSR", "Law on the Procurator's Office of the USSR", "Law on State arbitration in the USSR" and "Law on the legal profession in the USSR".

These laws provide vivid testimony of the continued and consistent development of socialist democracy and the strengthening of the legal basis of State and public

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1/ E/1978/8/Add.16 of 10 April 1978.

life. In this connexion, the maintenance of legality and law and order are inextricably linked with the education of citizens in the spirit of scrupulous and unswerving implementation of the Constitution of the USSR and other legislative acts and the observance of State discipline. The main goal of improving and developing the Soviet legislative system is to ensure the fullest possible satisfaction of the material and spiritual needs of Soviet citizens and comprehensive guarantees of their rights and freedoms.

A survey of the situation with respect to the protection in the USSR of the rights and freedoms covered by articles 10 to 12 of the International Covenant on Economic, Social and Cultural Rights is presented below.

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

Marriage, the family, motherhood and childhood enjoy the special protection of the State in the USSR.

The decisions of the Twenty-fifth Congress of the Communist Party of the Soviet Union indicate that one of the guiding directions of party policy is the "establishment of more favourable conditions for the protection of maternal and child health ..." 2/

Concern for children and the protection of maternal and child health is one of the constitutional principles of the Soviet State. Article 53 of the Constitution of the USSR stipulates that the family enjoys the protection of the State.

The State demonstrates its concern for the family by establishing and developing a broad network of children's institutions, by organizing and improving communal services and public catering by paying childbirth allowances and by providing allowances and benefits to large families and also other types of allowances and assistance to the family.

Under article 66 of the Constitution of the USSR, all citizens of the USSR are obliged to concern themselves with the upbringing of children, with training them for socially useful work and with raising them as worthy members of socialist society. Children, in turn, are obliged to care for their parents and help them.

Article 5 of the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family 3/ stipulates that the family in the Soviet Union enjoys State protection.

The State demonstrates its concern for the family by establishing and developing a broad network of maternity homes, day nurseries and kindergartens, boarding schools and other children's institutions, by organizing and improving

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2/ Materials of the Twenty-fifth Congress of the Communist Party of the Soviet Union, Moscow, Politizdat, 1976, p. 216.

3/ Official Gazette of the Supreme Soviet of the USSR, No. 42, 17 October 1979, pp. 848-850.

communal services and public catering, by paying childbirth allowances and by providing allowances and benefits for single mothers and large families and also other types of allowances and assistance to the family.

Motherhood in the USSR enjoys nation-wide esteem and respect and is protected and encouraged by the State. Protection of the interests of the mother and child is assured by means of special measures to protect the labour and health of women; by the establishment of conditions enabling women to combine work with motherhood; and by the provision of legal protection and material and moral support for mothers and children, including paid maternity leave for pregnant women and mothers without loss of wages or other benefits.

Another instance of assistance to families is the State's assumption of the major proportion of the cost of maintaining children in pre-school children's institutions. There are more than 120,000 such institutions in the USSR. Over 12 million children attending such institutions receive the necessary upbringing, education and preparation for school. Pre-school institutions are a great help in enabling mothers to participate actively in socially useful work. Furthermore, seasonal pre-school institutions and children's playgrounds are organized each year for children whose parents are employed in seasonal work. In 1978, 5 million children attended these institutions, including nearly 2 million children of pre-school age.

The State bears a significant portion of the cost of maintaining children in pre-school children's institutions. The cost of maintaining one child in a day-care centre is over 500 roubles a year, and in kindergartens it is over 450 roubles a year, of which 80 per cent is borne by the State and only 20 per cent by the parents. In the case of general education schools, the costs are entirely borne by the State. Parents pay only 8 per cent of the cost of maintaining their children in boarding schools. 4/ There are more than 137,000 day schools for general education serving approximately 40 million children.

Schools with extended hours and schools offering extended hours for some groups provide considerable assistance to mothers in raising children and teenagers.

Extra-curricular children's institutions play a significant role in raising children to a high level of morality, culture and general education. Soviet children now have at their disposal 4,700 young pioneers' and school children's palaces and centres, 1,900 centres for young technicians and naturalists, 7,100 children's music, art and dance schools, and children's libraries.

Children and young people who are interested in sports may take advantage of a large network of sports schools for children and young people. In 1977 there were 5,956 such schools serving 1,972,700 children.

The organization of summer vacations plays an important role in strengthening child health. The network of pioneer camps expanded to include 53,400 such camps in 1978 serving 11.1 million children of school age. Health and resort facilities for children and young people, including facilities in sanatoria, rest homes and

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4/ Statistical Bulletin, 1979, No. 2, p. 78.

holiday hotels for parents with children from 4 to 14 years of age, have been broadly developed. In view of the fact that the costs of such vacations for children and parents are to a great extent met from social insurance funds and the State budget, it is not hard to see the significant extent to which the State assists families in obtaining healthy vacations for all of their members.

The total expenditure from the State budget of the USSR on care for children in children's homes, kindergartens, day-care centres, pioneer camps and institutions involved in extra-curricular work with children (excluding capital investment) amounted to 5,584 million roubles in 1975 and 6,221 million roubles in 1977. Expenditure for general education day-time schools, including boarding schools (excluding capital investment), amounted to 8,168 million roubles in 1975 and 8,322 million roubles in 1977. 5/

The State assists families by establishing a minimal payment for accommodation and by evidencing constant concern about improving family living conditions. Over the past five years alone, 54 million people have moved to new modern apartments or improved their living conditions. 6/ Every day about 30,000 people in the USSR improve their living conditions. 7/ Another aspect of State assistance to the family is the provision of communal services to the population, an area which is developing intensively. The volume of such services to the population has increased more than 4.3 times over the past 13 years. 6/

The State also assists families by providing various types of allowances. These include childbirth, allowances, allowances for mothers of large families, and others.

State allowances for mothers of large families are provided for in a decree adopted by the Presidium of the Supreme Soviet of the USSR on 8 July 1944, entitled "Increased State assistance to expectant mothers, mothers of large families and single mothers, the strengthening of maternal and child care, the establishment of the honorary award 'Mother-Heroine', the order 'Maternal Glory' and the medal 'Motherhood Medal'". 8/ Allowances for mothers of large families consist of two types: (a) One-time allowances paid on the occasion of the birth of the third child; (b) Monthly allowances paid on the occasion of the birth of the fourth child (beginning the second year after birth and continuing to the fifth birthday). Monthly allowances paid for each successive child, regardless of whether the mother is receiving any other allowances for children born earlier.

The single mother (a woman who is not married to the father of her child) receives a monthly State allowance for each child and enjoys a number of benefits relating to the education of her child in pre-school children's institutions: she

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5/ Ibid., 1979, No. 1, p. 76.

6/ Pravda, 13 May 1979.

7/ Statistical Bulletin, 1979, No. 4, p. 78.

8/ Official Gazette of the Supreme Soviet of the USSR, 1944, No. 37.

has priority over other mothers in placing her child in a day-care centre, or kindergarten; she pays a minimal charge to keep her child in a children's institution and she has the right to place the child to be raised in a State children's institution entirely at State expense. 9/

Decision No. 748 of the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR of 12 September 1974, concerning further increases in material assistance for needy families with children, 10/ provides for allowances for children of needy families. Such allowances are paid in cases where the average total income per person in the family does not exceed 50 roubles per month. The allowance is paid even if the family is already receiving monthly allowances for the children on other grounds (for example, allowances paid to large families, allowances paid for the children of military personnel serving fixed terms of duty, allowances for disabled children and others).

On 1 December 1975 new benefits were established in connexion with the provision of allowances for the care of sick children. In accordance with a decision of the Council of Ministers of the USSR of 26 July 1973, mothers are issued a medical certificate for a fixed period and receive an allowance to care for a sick child who has not yet reached 14 years of age. Single mothers, widows and divorced women receive additional benefits under this scheme.

Mothers who are released from work in order to be with a sick child in hospital receive an allowance for the entire duration of that leave (para. 12 of the Provisions on the award and payment of allowances from State social insurance funds, as confirmed by decision of the All-Union Central Council of Trade Unions of 5 February 1955). The Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family (art. 1) specify that the further strengthening of the Soviet family, on the basis of the principles of communist morality is one of the most important objectives of Soviet legislation on marriage and the family.

The existence of a strong and healthy family makes it possible for each of its members to enjoy equal rights. Article 53 of the Constitution provides that "marriage is based on the free consent of the woman and the man; the spouses are completely equal in their family relations". The conditions governing the contracting of marriage include the mutual consent of the parties and the attainment by each partner of the minimum age for marriage (art. 10 of the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family). If these conditions are violated the marriage is considered invalid (art. 5 of the Fundamental Principles).

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9/ USSR law establishing the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family of 27 June 1968, art. 6 (Official Gazette of the Supreme Soviet of the USSR, 1968, No. 27, p. 241).

10/ See the Compendium of decisions of the Government of the USSR, No. 22, 1974.

All the regulations for contracting marriage apply equally to women and men and, in both cases, the minimum age for marriage is 18 years. There are exceptions to the rule in the Ukraine and Uzbekistan, where women may marry at 17 years of age.

Article 3 of the Fundamental Principles governing legislation of the USSR and the Union Republics on marriage and the family makes special reference to the equality of rights of women and men in family relations. Article 4 of the Fundamental Principles is concerned with the equality of rights of citizens in family relations irrespective of their nationality, race or attitude to religion: "Any direct or indirect restrictions of rights and the establishment of any direct or indirect privileges at the time of contracting marriage or in family relations on the basis of national or racial origin or attitude to religion shall be prohibited."

The constitutional position regarding the equality of women and men in family relations is further developed not only in the general provisions of the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family and the Republican family codes, but also in the rules of family law which regulate specific aspects of marital and family relations.

The personal rights of spouses under the legislation of the USSR relating to marriage and the family, which include the right to choose one's surname at the time of contracting marriage, the right to decide jointly on matters relating to family life and the upbringing of children and the right to the free choice of occupation, trade and place of residence, are enjoyed by both spouses on an equal basis. The property rights of the spouses are dealt with in article 12 of the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family which specially stipulates that the spouses enjoy equal rights in the ownership, use and disposal of property acquired during the marriage. Furthermore, equal rights to property are preserved even if one of the spouses has been engaged in managing the household or caring for the children or for other valid reasons has not had an independent income. The court may waive the general rule (equal shares for each spouse) if this would be in the interests of minor children or the legitimate interests of one of the spouses. Under the legislation of the Union Republics relating to marriage and the family the share of one of the spouses may be increased if the other spouse has refused to engage in socially useful work or has used the joint property in a manner detrimental to the interests of the family.

The legislation of the USSR relating to marriage and the family devotes considerable attention to the equality of the rights and obligations of parents, including their rights and obligations in cases where the marriage is terminated (art. 18 of the Fundamental Principles). The legislation of the Union Republics relating to marriage and the family contains special rules designed to preserve the equality of the rights and obligations of the parents if one of them does not live with the children.

When a marriage is terminated, the spouses enjoy equal rights and the conditions of the divorce apply to each of them in the same manner. "A spouse who changed surname at the time of contracting marriage shall be entitled to keep the same surname after the termination of the marriage or, at his or her request, to

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reassume the surname used prior to the marriage" (art. 14 of the Fundamental Principles).

Marriages between Soviet nationals and aliens and also marriages between aliens, are contracted in the USSR in accordance with Soviet legislation (art. 31 of the Fundamental Principles governing the legislation of the USSR and the Union Republics on marriage and the family).

Marriages between Soviet nationals and aliens which are contracted outside the USSR in conformity with the rules prevailing in the country concerned are recognized as valid in the USSR if there is no impediment to such recognition under Soviet legislation (art. 32 of the Fundamental Principles).

Divorces between Soviet nationals and aliens, and also divorces between aliens in the USSR are carried out in accordance with Soviet legislation (art. 33 of the Fundamental Principles).

The constitutional position regarding the equality of citizens in their marital and family relations is thus consistently reflected in the legislation on marriage and the family at the stage when the family is formed, during the period when it performs its functions and when it ceases to exist.

Under article 35 of the Constitution of the USSR, equality between women and men is ensured by the establishment of conditions enabling women to combine work with motherhood and by the provision of legal protection and material and moral support for mothers and children. The labour legislation of the USSR lays down special guarantees regulating working conditions for expectant mothers and women with children under one year of age.

Pregnant women, nursing mothers and women with children under one year of age may not be required to work at night, overtime, or on rest days, and may not be sent on assignments.

Women with children aged between one and eight years may not be required to work overtime or sent on assignments without their consent (art. 69 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, arts. 161-163 of the Labour Code of the RSFSR).

On the basis of a medical certificate, expectant mothers may be transferred for the duration of pregnancy to other, lighter work while retaining the same average remuneration.

If nursing mothers and women with children under one year of age are unable to carry out their previous work they may be transferred to other work while retaining the same average remuneration throughout the nursing period or until the child reaches its first birthday (art. 70 of the Fundamental Principle governing the Labour Legislation of the USSR and the Union Republics, art. 164 of the Labour Code of the RSFSR).

Women are entitled to maternity leave of 56 calendar days before confinement and 56 calendar days after confinement, and receive State social security benefits during this period. In the event of complications during childbirth or a multiple

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birth, the post-natal leave entitlement is extended to 70 calendar days (art. 71 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics).

In addition to maternity leave, women are entitled to apply for supplementary leave without pay until the child reaches its first birthday (art. 71 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, arts. 165 and 167 of the Labour Code of the RSFSR).

Maternity benefits are paid throughout the period of maternity leave at the full earnings rate (art. 102 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics).

If, on application, a woman is granted additional post-maternity leave until her child reaches its first birthday, her job or post is held open for her. This leave is counted as part of her total length of uninterrupted service and also of her total length of service in a specialized field (art. 167 of the Labour Code of the RSFSR).

A woman who adopts a new-born baby directly from a maternity home may take leave for the period from the date of adoption until the child is 56 days old; during this period she is entitled to receive State social security benefits.

At her request, a woman who adopts a new-born baby directly from a maternity home may take additional leave without pay until the child reaches its first birthday (art. 168 of the Labour Code of the RSFSR).

At her request, a woman may be granted annual leave before maternity leave or directly after it, irrespective of her length of service in a particular enterprise, establishment or organization (art. 166 of the Labour Code of the RSFSR).

It is prohibited to refuse employment to women or to reduce their wages on the grounds that they are pregnant or nursing a child.

Dismissal by management of pregnant women, nursing mothers and women with children under one year of age is prohibited except in cases of the closure of the establishment, enterprise or organization, when dismissal is permitted on condition that alternative employment is found (art. 73 of the Fundamental Principles of the Labour Legislation of the USSR and the Union Republics, art. 170 of the Labour Code of the RSFSR).

Refusal to employ women or their dismissal from work on grounds of pregnancy, and also refusal to hire nursing mothers or their dismissal, is punished by corrective labour for a period of up to one year or by dismissal from duty (art. 139 of the Labour Code of the RSFSR and the corresponding articles of the Labour Codes of the other Union Republics).

Where necessary, the management of enterprises and organizations, with the consent of the factory, works or local trade union committee, may issue free or reduced-rate passes to sanatoria and rest homes to expectant mothers, and may also provide them with material assistance (art. 171 of the Labour Code of the RSFSR).

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At enterprises and organizations with a large female staff, day nurseries, kindergartens, feeding rooms and women's rest rooms are provided (art. 172 of the Labour Code of the RSFSR and the relevant articles of the Labour Codes of the other Union Republics).

The main feature of the system of health care for mothers and children is its emphasis on prevention. A broad-ranging network of special institutions has been established in the USSR: women's clinics, maternity homes, sanatoria and rest homes for pregnant women and mothers, children's pre-school institutions, etc.

All women - both in towns and in rural areas - are ensured the possibility of medical check-ups during pregnancy and are able to give birth in hospital (at present virtually all women receive qualified medical assistance during confinement). Check-ups of the progress of pregnancy and of the health of nursing mothers take place at women's clinics which provide, free of charge, not only medical and preventive care but also, if necessary, social assistance. In 1977, the number of women's clinics totalled over 10,000. The clinics assist women in family planning, if they so wish, make recommendations about the organization of work and leisure and about nutrition for pregnant women and nursing mothers and provide the necessary assistance in transferring pregnant women to lighter work if this is required for medical reasons. In accordance with the legislation in force, the doctors at the clinics authorize maternity leave for women.

The main tasks of the women's clinics include the mass preventive screening of women, clinical observation, and the diagnosis and cure of illness.

Special attention is paid to health care for women workers in industrial enterprises. Enterprises set up women's clinics or gynaecological units (depending on the number of working women) attached to medical and health sectors which provide obstetrical and gynaecological care for the women working at the enterprise concerned and continuously monitor their state of health. These institutions also monitor the hygiene of women's work and study the characteristics of production and the influence of industrial factors on the female organism. On the basis of the data obtained and of scientific research, they establish health and gynaecological standards for various industries, identify and eliminate harmful factors and work out preventive measures.

Outpatient obstetrical and gynaecological care for women living in rural localities is developing at various levels (outpatient women's clinics of central, district, regional and Republican hospitals and assistance provided under sponsorship schemes by personnel from the obstetrical and gynaecological departments of medical institutes).

In major towns, specialized maternity homes and departments have been established for expectant mothers with cardiovascular, glandular and other disorders and for women with certain types of obstetrical complications so as to avoid serious complications among women and new-born babies.

Preventive sanatoria, rest homes and sanatoria for pregnant women and women with gynaecological disorders, as well as pregnancy pathology departments run partly along sanatorium lines, help strengthen the health of women and prevent the development of a number of serious complications during pregnancy and childbirth.

In order to further improve the labour and living conditions of women, the fifth session of the ninth Supreme Soviet of the USSR (October 1976) established permanent commissions of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR on questions of women's working and living conditions, maternity and child welfare, each made up of 35 deputies. As well as formulating proposals about the working and living conditions of women for consideration by the relevant chambers or by the Presidium of the Supreme Soviet of the USSR, these commissions provide assistance to state organs and organizations and also to deputies of the Supreme Soviet of the USSR in the work of implementing the decisions of the Supreme Soviet of the USSR and its Presidium relating to the working and living conditions of women, maternity and child welfare and monitor the work of ministries and departments and also of Republican and local bodies, enterprises and organizations in implementing the legislation on the protection of women's labour rights.

Since their establishment, these commissions have considered a number of questions. They considered the question of compliance with the legislation on labour protection for women employed in agriculture on 13 June 1977; compliance with the requirements of the legislation on maternal and child welfare at enterprises of the Ministry of Fisheries and the Ministry of the Oil Refining and Oil Chemical Industries on 24 October 1978; and compliance with the legislation on the provision of medical care to pregnant women and new-born babies on 29 June 1979. Appropriate decisions were taken on the basis of the conclusions arrived at in the consideration of these questions.

The system of the organization of medical care for children which has developed in the USSR consists of three basic, functionally interlinked levels: the polyclinic - the hospital - the convalescent institutions (sanatoria, specialized pre-school institutions, forest schools, young pioneer health camps etc.).

A leading role is played in this system by children's polyclinical institutions which, in the USSR, have become the real centres for child health and fully implement the basic principle of Soviet health care - the unity of prevention and cure.

The main objective of the children's polyclinics is to produce healthy and harmoniously developed children.

The children's polyclinics are equipped with modern diagnostic and medical apparatus and with health vehicles.

A central figure in paediatric work is the local paediatrician: the family doctor, who, from the time of birth, continuously monitors the physical development of the child, ensures that it is rationally fed and develops resistance and also takes steps to prevent infectious diseases and to ensure early diagnosis, prompt treatment and recovery of children suffering from illnesses.

The basic method of work of children's polyclinics is the continuous clinical screening of the entire child population by means of full-scale preventive examinations. At the present time specialist doctors: surgeons, neurologists, oculists and others, take part in the clinical screening of healthy children

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throughout the USSR. Together with paediatricians, and under their supervision, they carry out preventive examinations of children from early infancy and provide a range of medical and health services for children.

In order to improve the way in which doctors' work is organized in pre-school institutions and schools, special school and pre-school sections have been set up in most children's polyclinics. These sections devote increasing attention to improving methods for stimulating children's physical development, helping pre-school age children adapt to life in the collective, preparing them for school and promoting the notion of a healthy way of life among parents. Wide-ranging medical and paedagogical measures help to create optimal conditions for the children's normal development within the collective. Many schools have their own speech therapy, dentistry and physiotherapy units, allowing children to be treated inside school.

Ensuring proper nutrition for children is an important part of the work of children's polyclinics, since balanced nutrition, particularly for young children, is most important for their normal physical and neuro-psychological development.

In addition to carrying out extensive preventive work, children's polyclinics provide qualified medical and diagnostic care, including specialized care, and improve the ways in which it is administered; specialized care is currently available in some 18 to 20 fields.

An important constituent of the child health care system is the organization of hospital treatment.

Specialized hospital treatment has reached a very highly developed stage. All-Union treatment and rehabilitation centres have been set up for children with afflictions of the central nervous system, bronchial and pulmonary complaints, and sight, hearing and speech defects. There are 87 pulmonary centres and departments, and 70 dealing with allergies, at the republican, regional and city levels, while orthopaedic, ophthalmic, neurological and other centres are widespread.

An important aspect of specialized medical care for children, and a major achievement of recent years, are the pathology departments (currently numbering more than 250) for new-born and premature babies. All of them are equipped with the necessary apparatus and medicinal supplies to carry out a full range of medical and diagnostic treatment.

Care at sanatoria and health resorts plays an important part in the treatment of children. In addition to children's sanatoria of various kinds, other types of institutions for treating children exist and are being developed: sanatorium-style pre-school institutions for children with various disorders, sanatorium-style forest schools, specialized boarding schools and young pioneer health camps. Additionally, over 9 million school children become stronger and healthier every year in young pioneer camps.

Success in mother and child health care is largely a result of the USSR's level of medical science and the practical application of the advances made. The most immediate problems of mother and child health care are currently under study at 24 research institutes of paediatrics, maternal and child welfare, midwifery,

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gynaecology and paediatrics, and also 346 departments of paediatrics, midwifery and gynaecology in medical institutes and institutes of advanced training for doctors. The main line of research is directed at developing methods of preventing illness in women and children, improving the health of the younger generation, investigating the influence of noxious environmental factors on women and children, studying rational nutrition for both healthy and sick children, and developing ways of providing children with medical care.

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The State's particular concern for the health of the younger generation has been embodied in article 42 of the Constitution of the USSR, under which child labour, except in connexion with the child's formal education and work training, is prohibited.

The employment of young persons under the age of 16 is prohibited.

In exceptional cases, and with the consent of the factory, works or local trade union committee, it is permissible to employ young persons who have reached the age of 15 (art. 74 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 173 of the Labour Code of the RSFSR).

Procedures for the employment and production training of young people who have completed their studies at general education schools, vocational-technical or technical institutions, and other persons under 18, are laid down for all enterprises and organizations (art. 80 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 181 of the Labour Code of the RSFSR).

Minors (persons under the age of 18) have the same rights as adults as regards the legal employment relationship, but where work safety, working hours, leave and certain other working conditions are concerned they enjoy the privileges laid down in the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics and in other instruments of labour legislation (art. 174 of the Labour Code of the RSFSR, and the corresponding articles in the labour codes of the Union Republics).

The employment of persons under 18 years of age in arduous work, work in unhealthy or dangerous working conditions, or underground work, is prohibited (art. 75 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 175 of the Labour Code of the RSFSR).

A list of industries, occupations, specialized trades and jobs in which persons under the age of 18 may not be employed was approved by a decision of the State Committee on labour and social affairs of the USSR Council of Ministers, with the assent of the All-Union Central Council of Trade Unions, on 29 August 1959. The list has subsequently been amended and expanded. The current list names about 3,000 trades and occupations in which the use of juvenile labour is not permitted.

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Similarly, training of persons under 18 years of age for listed occupations, specialized trades and jobs under the individual-group training system is prohibited.

Certain limitations on the use of juvenile labour are established by legislation not only to protect the life and health of minors, but also in the interests of their proper upbringing. It is precisely for this reason that there is a ban on the employment of minors for work related to the production, storage or sale of alcoholic beverages. 11/

It is also prohibited for minors to carry or move loads exceeding the weight limits established for them (art. 175 of the Labour Code of the RSFSR).

Persons under 18 years of age may be employed only after a preliminary medical examination and they must undergo a compulsory medical examination each successive year until they reach the age of 18 (art. 76 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics).

Manual and non-manual workers aged between 16 and 18 work a 36-hour week, and persons aged between 15 and 16 work a 24-hour week (art. 22 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics).

Manual and non-manual workers under 18 years of age are entitled to annual leave of one calendar month (art. 33 of the Fundamental Principles governing Labour Legislation of the USSR and the Union Republics, art. 67 of the Labour Code of the RSFSR). They may take annual leave during the summer or, if they prefer, at any other time of the year (art. 178 of the Labour Code of the RSFSR).

Output quotas for workers under the age of 18 are fixed on the basis of the quotas for adult workers, but are reduced in proportion to the working hours for persons under the age of 18.

Reduced output quotas may be established in circumstances within limits, and for periods established by legislation, for young workers who take up employment in an enterprise or organization after completing their studies at general education schools or vocational-technical training institutes or on courses, and also for those who have received on-the-job training. These quotas are fixed by the management of the enterprise or organization concerned in agreement with the factory, works or local trade union committee (art. 179 of the Labour Code of the RSFSR).

Manual and non-manual workers under the age of 18 who work reduced daily hours are paid at the same rate as manual and non-manual workers in corresponding categories working a full working day.

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11/ Decree of 19 June 1972 of the Presidium of the Supreme Soviet of the RSFSR on measures to intensify the campaign against drunkenness and alcoholism (Official Gazette of the Supreme Soviet of the RSFSR, 1972).

Manual and non-manual workers under the age of 18 who perform work paid at piece rates are paid at the rates established for adult workers, and receive a supplementary payment, on the basis of the tariff rates, to compensate for the time by which their working day is reduced in comparison with that of adult workers (art. 77 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 180 of the Labour Code of the RSFSR).

Manual and non-manual workers under the age of 18 may not be required to do night or overtime work, or to work on rest days (art. 78 of the Fundamental Principles governing the Labour Legislation of the USSR, art. 179 of the Labour Code of the RSFSR).

Young workers who have completed their studies at vocational-technical and technical schools, and young specialists graduating from higher and secondary specialized educational institutions, are provided with employment in accordance with their specialized skills and qualifications (art. 81 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 182 of the Labour Code of the RSFSR).

Management may not dismiss manual or non-manual workers under the age of 18 unless, in addition to observing the general rules concerning dismissal, it has the consent of the district or city Minors Board. Dismissal on such grounds as the closure of the enterprise, institution or organization, or a reduction in the number of its employees and staff; the unsuitability of the manual or non-manual worker for the post occupied or the work to be performed, owing to insufficient qualifications or his state of health, disbaring him from continuing in such work; or the reinstatement in a post of a manual or non-manual worker who previously held it is allowed only in exceptional circumstances, and is not permitted unless the worker concerned has been found alternative employment (art. 82 of the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, art. 183 of the Labour Code of the RSFSR).

Child and juvenile labour is prohibited in the USSR by law, but a good attitude to work and basic working habits are fostered at an early age. The schools, and the V. I. Lenin All-Union Young Pioneers Organization, perform a great service in educating students for work.

The Young Pioneers Organization, which unites children aged from 10 to 15 in its ranks on a voluntary basis, encourages children to participate to the extent of their abilities in socially useful work suited to their age and capabilities. Pioneers collect scrap metal and waste paper, take part in street landscaping projects, keep school premises clean, help adults with the harvest during the holidays, etc. This gives children an opportunity to acquire social habits within the collective, develop the ability to tackle any job constructively, and cultivate a love of work and a readiness to strive, in future, for the good of society.

#### ARTICLE 11. RIGHT TO AN ADEQUATE STANDARD OF LIVING

The Soviet Union consistently pursues a policy of raising the living standards of the working people. This policy is put into practice both through appropriate legislation and by means of the necessary practical steps.

In accordance with the Programme of the Communist Party of the Soviet Union, and the decisions of the Twenty-fifth Party Congress, the supreme goal of public socialist production consists in satisfying to the highest possible degree the constantly growing material and spiritual requirements of the Soviet individual. Article 15 of the Constitution of the USSR states that "the fullest possible satisfaction of the people's growing material, cultural and intellectual requirements" is the supreme goal of social production under socialism. High living standards are guaranteed by the entire system of social ownership and the planned production and distribution of the national income created by the collective labour of all citizens of the country. Article 23 of the Constitution of the USSR states that the State pursues a steady policy of raising people's pay levels and workers' real incomes on the basis of the growth in labour productivity.

The Constitution of the USSR guarantees Soviet citizens the right to work, education and social welfare. Full employment, constantly expanding public production, and the system of free general and vocational training form the basis on which the population receives increasing returns from work in the form of manual and non-manual workers' salaries and income from the public administration of collective farms.

In the period from 1966 to 1978, the number of manual and non-manual workers rose by 31.7 million persons or 41.2 per cent, mean monthly salaries increased by 65.7 per cent, and the over-all sum disbursed in wages and other work-related payments rose accordingly by a factor of 2.3.

Soviet legislation devotes particular attention to guaranteeing a minimum level of income. Citizens of the USSR have the right to guaranteed employment and pay in accordance with the quantity and quality of their work, and not below the state-established minimum (art. 40 of the Constitution of the USSR).

Minimum rates of pay are increased in accordance with the social and economic development plans for the USSR economy, which provide for minimum wage levels.

Along with the constant growth in salaries, a rise in minimum income is ensured by a whole system of measures in the field of taxation. The USSR is systematically and on a planned basis raising the minimum level of earned income not subject to tax and reducing tax rates on relatively low earned incomes. Between 1973 and 1975 the tax-free minimum was increased by nearly 17 per cent, and tax rates on low earned income were reduced by 15 per cent.

An adequate standard of living is guaranteed not only for workers but also for those unable to work, through the social welfare and social insurance system. Citizens of the USSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability, during pregnancy and childbirth and in the event of loss of the bread-winner (art. 43 of the Constitution of the USSR).

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This right provides for the payment of benefits to manual and non-manual workers and collective farmers during periods of temporary disability and the payment of pensions on grounds of old age, disability or the loss of the bread-winner, out of State and collective farm resources; the provision of jobs for partially disabled citizens; care for the aged and the disabled and other types of social welfare. Pensions and benefits are paid from public resources, and no contributions of any kind are levied from the population for this purpose.

In the USSR, the State maintains all institutions concerned with education, health and culture and also health and resort facilities. The right to free education, vocational training, medical services and leisure is guaranteed in the Constitution of the USSR (arts. 41, 42, 45 and 46).

Payments and benefits from the social consumption funds (pensions, allowances, bursaries and also resources for free health care, education and culture) increase the pay of manual and non-manual workers by an average of 37 per cent. Additionally, the State assumes responsibility for the costs of constructing housing, communal enterprises, hospitals and other social service facilities, thereby freeing families from the onus of paying for these facilities themselves.

The legally established right to accommodation for each citizen is of particular importance in a system that guarantees living conditions for the population. This right, according to article 43 of the Constitution of the USSR, is ensured by the development and upkeep of state and socially owned housing, by assistance for co-operative and individual house building, by fair distribution, under public control, of the housing that becomes available through the implementation of the programme of building well-appointed dwellings, and by low rents and low charges for utility services.

In respect of rates of housing construction, the USSR is one of the leading countries in the world. At the same time, the consistently low level of apartment rents (only 3 to 4 per cent of the income of manual and non-manual workers' families) ensures a good supply of housing for all families, including families with relatively low incomes. The system of the construction and maintenance of housing at State expense is the economic basis for the equality of rights of all citizens of the USSR in relation to access to housing.

Steadily growing incomes for the population are ensured by the planned development of the production of consumer items and goods. Food and industrial goods produced in the State and collective farm-co-operative sectors are supplied to the population through State and co-operative marketing, including public catering.

In order to increase consumption, the socialist society makes major investments in agriculture and in the food and light industries every year so as to ensure a systematic growth of production in these sectors.

Stable retail prices for the basic goods in mass demand ensure a high level of consumption among all groups of the population. Preferential prices have been established for children's goods and also for transport services and communal enterprises.

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The over-all standard of living of the population in the USSR is rising every year. Thus, if real per capita income was 100 in 1970, it was 129 in 1976, 133 in 1977 and 137 in 1978.

The sale of major consumer goods to the population in State and co-operative trading, including public catering, is growing every year. Thus, if the sale of all goods in 1970 was 100, in comparable prices it increased to 142 in 1976, 149 in 1977 and 154 in 1978.

The population's consumption of the major industrially produced non-food items is rising every year. Thus, while in 1970 the annual per capita demand for fabrics (excluding expenditure on fabrics for the production of industrial articles) was 30.4 m<sup>2</sup>, in 1978 it was 33.7 m<sup>2</sup>. The figures for knitted outer clothing (number of items) were: 1970: 1.8; 1976: 2.0; 1978: 2.2. For leather footwear (pairs) the figures were: 1970: 3.0; 1976: 3.2; and 1978: 3.2.

One of the most important means of improving the standard of living of the Soviet individual is the further development of agriculture. Article 22 of the Constitution states: "A programme is being consistently implemented in the USSR to convert agricultural work into a variety of industrial occupations, to extend the network of educational, cultural and medical institutions, and of trade, public catering, service and public utility facilities in rural localities, and transform hamlets and villages into well-planned and well-appointed settlements". The process of agricultural specialization and concentration is taking place on the basis of intersectoral co-operation and agro-industrial integration. Material incentives for workers, and greater material motivation for increasing production, are being introduced on a broad scale.

Every year the Government of the USSR adopts decisions designed to increase the efficiency of spring field operations and of harvesting in order to ensure that the work is carried out in good time and is of good quality; to provide specialized workers for agriculture and increase their material motivation; and to increase deliveries of agricultural machinery, mineral fertilizers, chemical toxins etc. for agriculture.

An increasingly broad and rational use is being made of the USSR's natural resources - land wealth, forests, water, mineral ores etc. - for developing public production and increasing industrial and agricultural production; and environmental protection measures are being improved. During the current tenth five-year plan, 11 billion roubles have been allocated for this purpose and if all the indirect expenditure is taken into account the total is over 55 billion roubles. Natural resources are the economic basis for the development of production. They are used to improve the health of the population and increase its material well-being and cultural level.

In recent years, special All-Union legislative acts have been adopted in the USSR in this sphere: the Fundamental Principles of the land, forest and water legislation of the USSR and the Union Republics, and also of the legislation on mineral ores; and the Republican land, water and forest codes and codes on mineral ores. Laws are being prepared on the use and protection of the atmosphere and of the animal world, as well as other acts on the rational use of natural resources

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and on environmental protection. New reservoirs and irrigation canals are being constructed, and projects to divert the flow of rivers from the northern regions of the country to the southern regions are being expanded.

Collective and individual subsidiary farming has been broadly developed in order to improve the standard of living of the citizens of the USSR.

In accordance with the law, each industrial enterprise, organization and establishment, as well as children's, school, medical and other organizations, may engage in subsidiary farming to produce agricultural goods so as to improve the supply of such goods to manual and non-manual workers. At present, there are over 40,000 subsidiary farms in the USSR which supply a considerable proportion of the produce - meat, milk, potatoes, vegetables, fruit etc. - consumed in manual and non-manual workers' canteens in addition to what is supplied from State funds.

All citizens receive their basic income from participation in public production and from the social funds (Health, education, social security, cultural and communal facilities etc.). At the same time, by law, they have the right to engage in private subsidiary farming in order to obtain additional income. In accordance with article 13 of the Constitution of the USSR and other laws, citizens may be granted the use of plots of land for subsidiary farming and may own certain quantities of livestock and poultry; in towns, plots of land may be granted to citizens in collective and individual market-gardens for growing potatoes, vegetables and other food items in order to enhance their well-being. They keep the produce grown on allotments and in market-gardens which they need for their own consumption, and they are entitled to sell the surplus in the market.

#### ARTICLE 12. RIGHT TO PHYSICAL AND MENTAL HEALTH

In the USSR, the right to health protection is one of the constitutional rights of citizens and it is backed by broad guarantees. Article 42 of the Constitution of the USSR states:

"Citizens of the USSR have the right to health protection.

"This right is ensured by free, qualified medical care provided by state health institutions; by the extension of the network of therapeutic and health-building institutions; by the development and improvement of safety and hygiene in industry, and by carrying out broad preventive measures; by measures to improve the environment; by special care for the health of the younger generation, including prohibition of child labour, excluding the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life."

There are also a number of other constitutional provisions which are designed to protect the life and health of the individual. They include, in particular, article 57 of the Constitution of the USSR on the court protection of the life and health of citizens; article 21, in which the State undertakes to concern itself

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with improving working conditions and safety and labour protection and with reducing and ultimately eliminating all arduous physical labour; article 35, concerned with social measures to protect the health of women; article 25, stressing the significance of the physical development of young people; and article 18, on the adoption of the necessary measures to protect and make scientific, rational use of the land and its mineral and water resources and the plant and animal kingdoms, to preserve the purity of air and water, ensure reproduction of natural wealth, and improve the human environment. Many of these constitutional provisions are developed and made more specific in the Fundamental Principles governing the Health Legislation of the USSR and the Union Republics and in other All-Union and Republican legislative acts.

The Fundamental Principles governing the Health Legislation of the USSR and the Union Republics provide that it is the duty of all State bodies, enterprises, establishments and organizations to protect the health of the population. Trade union, co-operative and other public organizations also take part in protecting the health of the population in accordance with their statutes (regulations).

The Fundamental Principles provide that citizens of the USSR themselves must take care of their own health and the health of other members of society (art. 4).

In accordance with article 32 of the Fundamental Principles, aliens and stateless persons residing permanently in the USSR have access to medical services on the same basis as citizens of the USSR. Medical services for aliens and stateless persons residing temporarily in the USSR are provided under the system established by the USSR Ministry of Health.

The Soviet health care legislation regulates in detail questions of the health and epidemiological welfare of the population, medical and preventive services for the population, maternal and child welfare, treatment at sanatoria and health resorts, organized leisure, tourism and physical education, specialized medicine and medicinal and preventive services.

Health care has always been and continues to be a central aspect of the practical activities of the Soviet State and the Communist Party. "There is no more important social task than the protection of the health of the Soviet people", Mr. L. I. Brezhnev said at the Twenty-fifth Congress of the Communist Party of the Soviet Union.

Since it regards the protection of the health of Soviet citizens as an extremely important social task, the Soviet State is implementing a comprehensive programme of measures designed to improve the organization of work at health care institutions, reduce the incidence of disease and prevent accidents, improve the quality of medical services and expand specialized medical services, develop the material and technical base for health care, improve the work of scientific research institutes and medical higher educational establishments and broadly incorporate into medical practice the achievements of science and technology, advanced experience and the scientific organization of work.

Nevertheless, the concern of the State and of society as a whole about public health is not confined to the organization of medical services for the population (although this, of course, is very important). It extends to an extremely broad range of questions relating to the health of citizens. This principle of the organization of national health care in the USSR is closely linked with its preventive nature. Prevention is not a narrow bureaucratic function of the health care bodies. It is assured by the entire system of socio-economic measures of society designed to protect the environment and labour and improve living conditions. Under socialism, prevention is universal in nature. In our era prevention does not simply involve health care and the prevention of illness but goes one step further and aims to ensure the harmonious development of the individual by extending to all aspects of the life of the Soviet people and promoting health care not simply for individuals or groups of the population, but for the entire community.

At the present stage, prevention includes broad health and hygiene measures (environmental protection, improvement of working conditions, sanitary control of the design, construction and operation of technologies and of installations of various types), measures for the prevention of epidemics (ensuring epidemiological welfare and prevention and control of epidemic and infectious diseases etc.) and also socio-medical measures.

The socio-medical measures implemented by the medical and preventive establishments aim directly to control the most widespread and dangerous diseases, in particular, cardio-vascular diseases, cancer, etc. In many cases these measures are of a comprehensive state-wide nature and include a broad range of provisions for the prevention and active early detection of disease and the active observation of individuals and entire collectives.

The following figures illustrate the scale of preventive work in the USSR: every year, over 100 million people undergo preventive examinations of all types and, every year, the number of people under clinical observation or preventive examination increases by more than 1.5 million. In individual Union Republics, (Latvian SSR, Estonian SSR, RSFSR) 130 to 200 of every 1,000 members of the population are registered at clinics. <sup>12/</sup>

At the present stage of the development of the clinical system, there is to be a transition from a clinical system for individual groups of the population to a mass clinical system.

Labour protection is an important preventive measure and in the USSR it is assured under very extensive programmes in every single sector of the economy and socio-cultural construction and at all production units and sectors. In the course of the Ninth Five-Year Plan, the State spent 14.7 billion roubles, or nearly 40 per cent more than during the previous five-year plan, on measures for further improving working conditions and for increasing the availability of modern labour protection devices and safety techniques at enterprises. Over 55 million people

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<sup>12/</sup> Clinical medicine, 1979, No. 3, p. 5.

receive special clothing and footwear and protective devices free of charge. Over 500 organizations are engaged in the scientific study of labour protection problems. 13/

The tasks of the health care organs and establishments of the USSR were defined by the Twenty-fifth Congress of the Communist Party of the Soviet Union. They include, first and foremost, the all-round improvement of health care for the Soviet people, the enhancement of medical services, the strengthening of environmental protection, and the creation of favourable conditions for bringing up the younger generation and increasing the life expectancy of the Soviet people.

For the purposes of performing these tasks, the material base for health care is being developed and improved, the rational construction of multi-purpose and specialized hospitals is proceeding and the construction of out-patient polyclinical establishments, particularly in new towns and rural localities, is being expanded. By 1980, the total number of hospital beds in the USSR exceeded 3.3 million, i.e. 125 beds for every 10,000 inhabitants. The number of doctors rose to 960,000, and the number of middle-level medical personnel to 2,930,000, which meant that there were 36 doctors and 109 middle-level medical personnel for every 10,000 members of the population. 14/

The concern of the Soviet State about the health of the Soviet people is demonstrated by the all-round improvement in the quality of medical services and the level of organizational work and the strengthening of the first level of health care: district services, first aid, rural district hospitals and out-patient clinics. At the same time, there are plans for the further development of convalescent centres and of specialized services in cardiology, cancer, traumatology, pulmonary disease, etc.

The Soviet Government has adopted a number of measures to broaden scientific research on current problems of medical science, promote the incorporation of scientific advances into practical health care and improve the supply of medicines and medical devices to medical and preventive establishments and to the public.

All these measures form the basis of the plan which has been devised for the development of health care in 1981-85, and the successful implementation of this plan will represent a new stage in the development of Soviet health care and will contribute to the further improvement of health and a further prolongation of the active life-span of the Soviet people.

The social policy of the socialist State in the field of health care and the implementation of socio-preventive measures have made possible a historically unprecedented advance from the extremely low level of public health which existed in the country before the Great October Socialist Revolution to the present situation which is characterized by very favourable indicators. It can be affirmed that never before, in a country as large as the USSR, have such fundamental changes

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13/ Soviet health care, 1979, No. 2, p. 7.

14/ Ibid., 1979, No. 9, p. 12.

in public health taken place within the life-time of a single generation. These changes have affected all the basic indicators of public health: the distribution and incidence of various diseases, the death-rate and the causes of death, physical growth and other indicators.

Particular attention is paid to protecting the health of the younger generation; a system of special medical-preventive and health measures is being devised and a network of institutions for children and young people is being developed. It is a significant fact that during the years of Soviet power, there has been an almost tenfold decline in child mortality.

The Decree of the Presidium of the USSR Supreme Soviet of 19 February 1979 entitled "The observance in the USSR of the International Year of the Child" 15/ made special reference to the implementation in the USSR of a system of State and public measures aimed at further improving maternal and child welfare and strengthening child health. The Presidium of the Supreme Soviet of the USSR instructed the Presidiums of the Supreme Soviets of the Union and Autonomous Republics and the local soviets of peoples' deputies and their permanent commissions to pay increased attention to fulfilling the targets of the country's Tenth Five-Year Plan in respect of developing a network of children's hospitals and polyclinics, sanatoria and pre-school institutions and improving medical facilities.

One of the indicators of the conditions created in the USSR for achieving the highest attainable standard of physical and mental health is the number of people in the Soviet Union who take part in physical training. Thus the number of gymnasts who regularly took part in physical training collectives was (millions of people): 43.6 in 1970, 52.4 in 1976 and 57.8 in 1978. 16/

In the USSR, great attention is paid to physical education for the younger generation.

Young athletes are provided with over 400 stadiums, 57,000 gymnasia, 510 swimming pools, about 2,000 skiing centres, over 280,000 sports grounds and playing fields of various types and also about 6,000 sport schools for children and young people and 6,790 sports and health camps. Over 167,000 State physical training workers are involved in work with children.

Every year about 43 million young athletes and gymnasts take part in All-Union sports contests. The All-Union children's sports competitions known as the "Hopeful starters" and the All-Union athletics festivals for school children are particularly popular among children and young people.

There are 21 physical training institutes, one teacher-training institute for physical education, 90 physical education and physical training faculties attached

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15/ Official Gazette of the Supreme Soviet of the USSR, 1979, No. 8, p. 124.

16/ The Economy of the USSR in 1978, Central Statistical Board of the USSR, 1979, pp. 410-424.

to teaching institutes and universities and a number of secondary specialized educational institutions which train specialist personnel for work with children and young people. Broad scientific research about the problems of physical education for the younger generation is carried out in a number of scientific research institutes.

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The information which has been supplied demonstrates that the USSR is fully implementing the provisions of the relevant articles of the International Covenant on Economic, Social and Cultural Rights.

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