



Economic and Social Council

Distr.
GENERAL

E/1982/WG.1/SR.8
14 April 1982

ORIGINAL: ENGLISH

First regular session, 1982

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

SUMMARY RECORD OF THE 8th MEETING

Held at Headquarters, New York,
on Monday, 12 April 1982, at 10.30 a.m.

Chairman: Mr. BURWIN (Libyan Arab Jamahiriya)

CONTENTS

Consideration of reports submitted in accordance with Council resolution 1988 (LX)
by States Parties to the Covenant concerning rights covered by articles 10 to 12
(continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages, preferably in the same language as the text to which they refer. They should be set forth in a memorandum and also, if possible, incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room A-3550, 866 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be consolidated in a single corrigendum to be issued shortly after the end of the session.

8 p.

The meeting was called to order at 11.00 a.m.

1. The CHAIRMAN invited Mr. Mratchkov (Bulgaria) to introduce his country's report concerning rights covered by articles 10 to 12.

Report of Bulgaria (E/1980/6/Add.29)

2. Mr. MRATCHKOV (Bulgaria) said that his Government attached great importance to the international protection of human rights as a matter of fundamental policy. It had already ratified several international instruments and some 80 ILO Conventions, most of them dealing with economic, social and cultural rights. The current report on implementation of articles 10 to 12 of the Covenant covered the period to the end of 1980.

3. Protection of the family and of mothers and children (article 10) was a consistent principle of Government policy. Marriage and the family were protected by the State under article 37 of the Constitution. As was stated in the report, only civil marriage had legal status, although religious ceremonies could also be held. The State protected and encouraged marriage through its family legislation. The Family Code permitted divorce only in the case of deep and irreconcilable differences between the spouses or with the free consent of both. Introduction of the second ground for divorce had caused some fluctuation in the number of cases, but by 1980 the rate had stabilized at about 15 or 16 per cent of all marriages. To encourage marriage, the State and society provided facilities for young couples. For example, under the decree on housing for young newly-married couples at least 10 per cent of the new homes to be built each year were allocated to them. In addition, they were entitled to loans from the State Savings Bank to help them equip their homes or meet other needs.

4. Mothers were entitled under the Constitution to the special protection and care of the State and of social and economic organizations. There was a great deal of legislation on the subject; the Labour Code, for example, provided for the preferential treatment for pregnant women workers. Since 1973 in particular, many measures had been taken to ease working conditions for pregnant women, for example, by transferring them to lighter work with shorter hours. Maternity leave for women workers was of three kinds: normal leave of from four to six months, depending on how many children the woman had, during which she received her usual pay; additional leave of from six to eight months which was granted at the mother's request after her maternity leave expired and during which she received the national minimum wage; and unpaid leave which a working mother could take until her child was three years of age without losing her job or her labour rights.

5. There was also legislation to provide mothers with the means to care for their children. Since 1973, that principle had been extended to cover not only working women but also students, girls in the senior year at school and non-working women. Last but not least among the measures to encourage parenthood was the establishment of a wide range of children's institutions, day nurseries, nursery schools, etc. Such facilities and their services were financed mainly out of State funds; parents were required to pay only minimal fees.

(Mr. Mratchkov, Bulgaria)

6. Under article 39 of the Bulgarian Constitution, the State provided special protection for children and young persons. The minimum age limit for them to start work had been fixed at 16 years of age, but they could be allowed to undertake light work one year earlier with prior official and medical approval. Adolescent workers up to the age of 18 also enjoyed shorter working days and longer leave.

7. Turning to article 11 of the Covenant, covering the right to an adequate standard of living, he pointed out that since 1972, in particular, his Government had pursued a policy of raising living standards, which included measures on such varied aspects of the problem as personal incomes, social consumption funds, prices, housing and working conditions. So far as personal incomes were concerned, the Government periodically adjusted and increased basic wage rates in accordance with the current Five-Year Plan. Over the years, the national minimum wage introduced in 1965-1966 had been more than doubled - to 100 leva a month. The sums allocated to the social consumption funds spent on education, health care, social security etc. had also been steadily increased. According to data for the seventh Five-Year Plan which ended in 1980, per capita social income amounted to 52 leva a month or more than half the national minimum wage. Under the Five-Year Plan ending in 1985, the average social income per capita would rise to 60 leva a month. The Five-Year Plan for 1981-1985 also provided for 400,000 new homes to be built. Nevertheless, housing problems persisted and the Government was continuing to give them special attention.

8. Finally, with regard to article 12 of the Covenant, he said that the right to physical and mental health was not only proclaimed in the Constitution but was guaranteed by legislation and active Government support. The principle of free medical attention had been established since 1951 and the State constantly sought to provide well-equipped medical services and highly qualified medical personnel. Special emphasis was placed on preventive medicine as a means of creating healthier conditions and reducing the need for curative medicine, although the latter was of course also provided.

9. Another aspect of Government policy was the emphasis on improving occupational health and safety. Since 1971, a national programme had been in force and special funds had been allocated for that purpose. They had increased from 600,000 leva up to 1975 to 1.5 million leva in the following five years and 1.7 million leva under the current Five-Year Plan. The improvement of occupational health and safety was only part of the Government's general policy for protecting the environment. A whole new structure had been established for that purpose and ever-increasing resources were being allocated to cover the cost of various environmental programmes.

10. The Government's policy on ensuring the right to physical and mental health had already produced good results. They were to be seen especially in the reduction in stillbirths and infant mortality. In that connexion, he wished to point out that the figures for those two categories in paragraph 87 of the report had been erroneously given as percentages, whereas in reality they represented deaths per thousand.

11. Mr. SOFINSKY (Union of Soviet Socialist Republics) said the report showed that striking progress had been made in the implementation of the rights under consideration. He had been particularly impressed by the benefits provided for pregnant women and mothers, whether working or not. Also striking were the provisions on free compulsory education, free medical assistance, the national minimum wage, price stability and allocations to social consumption funds. However, the report raised a number of questions. It was stated for example that the divorce figure had stabilized at the relatively low level of 15 per cent, but it would have been interesting to hear in more detail how this had been achieved. Was the low figure attributable to educational work or to the difficulty of the divorce process, and had the figure stabilized after rising or falling? Secondly, the report mentioned the establishment of a minimum age for young persons to enter employment but said nothing about the extent to which those between the ages of 15 and 18 enjoyed a shorter working day or working week. Thirdly, the report referred to the improvement in the housing situation but said nothing about the level of rents in Bulgaria. Could some information be given on how high rents were and what percentage of wages they represented?

12. Mr. BORCHARD (Federal Republic of Germany), referring to the statement in paragraph 69 of the report (E/1980/6/Add.29) to the effect that in November 1979 retail and wholesale prices had been brought into line with objective conditions for the economy's development said that it appeared to conflict with the tenor of paragraph 67 indicating that the retail prices of basic food-stuffs had remained stable for the last two decades. It was also not quite clear what the expressions "objective conditions for the economy's development" and "monetary income" actually meant, or whether real income had increased. Clarification would also be welcome regarding whether the price stability referred to in paragraph 70 of the report has resulted in an increase in the demand for food and whether all food-stuffs, particularly meat products, were always available or were sometimes in short supply or rationed. Finally, it would be interesting to know what action had been taken to improve the housing situation for the population as a whole.

13. Mr. ALLAFI (Libyan Arab Jamahiriya) enquired whether the policy referred to in paragraphs 10 and 11 of the report of allocating one-room accommodation to newly-married couples was applied to all young couples without distinction and whether such housing privileges were exclusively confined to young couples.

14. Mr. BOUFFANDEAU (France) asked for details on the conditions, such as age qualifications, duration of occupancy or income eligibility, which young couples had to fulfil to be entitled to such accommodation or to obtain loans. It would also be useful to have some statistics in order to be able to quantify rises in the standard and quality of living on the basis of per capita and per household consumption of goods.

15. Mr. AKAO (Japan) said that he would welcome clarification regarding the actual mechanics of wholesale and retail price stabilization by the Government and asked whether it led to disparity between supply and demand. In addition it was not clear whether the "social consumption funds" referred to in paragraph 71 of the report were allocated under the government budget, in which case it would be useful

(Mr. Akao, Japan)

to know what share of that budget they represented, or whether that revenue came from other sources. The fact that increases in expenditure from those funds were said to result in a rise in national income was puzzling, since rises in national income were usually attributed to increases in production.

16. Mr. VEITIA (Venezuela) asked for more information on the scientific norms and standards used to work out model budgets for minimum living requirements (para. 62) and on whether families had a say in how their requirements were determined.

17. Mr. BERGTHUN (Norway) said that since it was clear that the Government of Bulgaria allocated substantial resources to health, it would be useful to know what percentage of the gross domestic product or over-all national resources went to the health sector. He would also welcome clarification regarding the exact meaning of the expression "medical workers" (para. 84) and regarding the length of training and the qualifications required to become a State registered nurse. Another point which needed elucidation was the statement in paragraph 93 to the effect that free medical care had been introduced for pregnant women and children aged up to three years, implying that, contrary to the general assumption that health care was free in Bulgaria, there were in fact certain charges for consultations, prescriptions or other health services.

18. Turning to the subject of nutrition, he pointed out that the meaning of both paragraph 74 (a) regarding the establishment of quotas to bring food production into line with scientific norms and the reference in paragraph 82 to the constant increase in the consumption of basic food and non-food products were not quite clear. It would be useful to have some statistics on food consumption patterns and on daily calorie intakes. He also wanted to know the extent to which Bulgaria was self-sufficient in food.

19. Mr. RUBIN (International Labour Organisation) said that the Committee of Experts on the Application of Conventions and Recommendations had not had enough time to examine the report of Bulgaria and would therefore present its comments at a later date.

20. Mr. MRATCHKOV (Bulgaria) said that the low and relatively stable divorce rate of 16 per cent, could be attributed to a combination of three factors, namely the deep-seated attachment to traditional family values in Bulgaria, the extensive marriage education and guidance work carried out by social organizations and the divorce procedure itself. Divorce proceedings began with a conciliation stage during which couples had the opportunity to withdraw their petition for divorce at the first two hearings held two months apart. The divorce rate had stood at a mere 10 per cent 20 years ago, had risen with the introduction of divorce by mutual consent and had since stabilized at the current level.

21. The problem of work by young persons under the age of 18 was not a significant one, since only a very small proportion of young people left school before that age to take paid employment. However, under-18s in the labour force enjoyed special conditions such as extensive leave of 26 days and shorter working hours, i.e. a

(Mr. Mratchkov, Bulgaria)

six-hour day up to the age of 16 and a seven-hour day between the ages of 16 and 18, although they naturally received full pay.

22. The housing shortage was mainly confined to the capital and the major cities of Varna, Plovdiv and Burgas, and housing construction was hampered by the shortage of labour and a lack of investment. Those obstacles were expected to be removed as a result of the housing construction drive launched under the last Five-Year Plan. As for rents, there had been no increase for years in rents directly controlled by the State. Moreover, rents for housing not leased from the State were also controlled under a rent law stipulating that they must not exceed three times the amount charged by the State for equivalent housing.

23. There was no contradiction between paragraphs 67 and 69 of the report, since the price increases which had taken place in 1979 had not affected food-stuffs. Wages had been increased in 1979 by 25 to 30 per cent, representing a real increase in income and more than offsetting any price increases. Increases in prices had been made necessary by factors such as the rate of exchange, which were beyond the Government's control. Supplemental allowances, payable under certain circumstances such as unpleasant conditions of work, had also been increased.

24. There were no food shortages in Bulgaria; food was available in adequate quantities, particularly in the larger towns. Price stability had been maintained for food-stuffs, the prices of many products having remained unchanged for more than 20 years. Particular care had been taken not to increase the cost of basic commodities, in order to protect the standard of living.

25. The country had experienced housing difficulties some 30 years earlier: housing had been old, the country had been recovering from the damage suffered in the Second World War, and there had been a migration of country dwellers to the larger towns. However, those problems had, in the main, been resolved.

26. Special provision was made for housing for young couples, defined as those under 30 years of age, a category currently comprising more than half of all the people married each year. Account was also taken of whether a young couple actually needed housing, which was not always the case. No limit was placed on how long a young couple could remain in such housing, once allocated. Housing loans were made available on generous terms.

27. The amounts available to the social consumption funds were established on the basis of the country's national income. The funds financed a range of social policy activities, including education, health care and social security services. There was no separate component in the State budget for the funds, sums being allocated under the various social services they covered.

28. Workers were not obliged to contribute financially to the provision of social security services, which were supported by amounts raised from firms and establishments and paid directly into social funds. The trade unions were responsible for administering these funds and they were included in the national budget.

(Mr. Mratchkov, Bulgaria)

29. Various model family budgets were calculated in order to determine minimum wages. Trade unions took part in preparing such budgets, which reflected the prices of basic commodities. The national minimum wage was designed to cover the needs of the unskilled, who received the lowest base wage. The family as a social entity had no part in the process, its interests being represented by trade unions.

30. Unfortunately, he could not provide additional data on public health services. The training undergone by nurses included five years of secondary education, midwives were required to study for two years after completing their secondary education, while medical workers underwent five years of training. Free medical care had been provided in hospitals, clinics and other specialized institutions since 1951, but, in general, medicines were not provided free of charge outside such institutions. There were certain exceptions, such as pregnant women and those suffering from occupational diseases. The Government's policy was to make medical care readily accessible to all at low cost.

31. Bulgaria had a planned economy, which encompassed the production of food on the basis of the needs of the population. The figures contained in the report gave some indication of the changes in food consumption. Food consumption, as measured in calories, was increasing, and the nutritional value of the average diet was improving. Bulgaria had always been an agricultural country and produced sufficient quantities of foods, including some for export.

32. The CHAIRMAN said that, if he heard no objection, he would take it that the Working Group had concluded its examination of the report of Bulgaria (E/1980/6/Add.29).

33. Mr. MALAFATOPOULOS (World Health Organization), speaking with particular reference to article 12, said that the International Year of Disabled Persons had brought home the immensity of the problem posed by the disabled. Some 10 per cent of the people of the world were disabled and 80 per cent of them lived in developing countries. If existing disability prevention measures were not immediately applied and new ones developed, those figures would increase dramatically. It was therefore essential to integrate disability prevention and rehabilitation in existing primary health care.

34. Existing rehabilitation services were grossly inadequate, especially in developing countries, where they met the needs of only a small proportion of the disabled. Extension of such services was beyond the means of most countries, owing to financial, technical and manpower constraints. The disabilities found in developing countries were mainly caused by malnutrition, communicable diseases, inadequate peripheral care and accidents. More attention should be paid to preventing malnutrition and to improving food production and distribution. In the developed countries, disabilities were caused by chronic somatic diseases, functional psychiatric illnesses and accidents.

35. The system of maternal and child health protection in the Ukrainian SSR, with its emphasis on preventive care, was of great interest, as was the preventive work

(Mr. Malafatopoulos, WHO)

among physically and mentally handicapped children undertaken in Panama. The immunization campaigns conducted by the Government of Barbados to protect the health of children presumably covered all the major fatal and disabling diseases, in addition to poliomyelitis. Bulgaria had taken great steps towards preventing disabilities by implementing a campaign to immunize children.

36. The scourge of drug abuse continued to spread and had attained epidemic proportions in many parts of the world. Government measures to assess the effects of drug abuse on health and the social and economic consequences of drug abuse was of importance to public health organizations and administrations throughout the world. The involvement of the public health services in that problem would depend on the prevalence of drug dependence and on the type of agents abused. Public health services should promote investigations of drug dependence and its health implications. The Working Group could submit information from the documents submitted to it by various States to the competent national ministries.

37. The CHAIRMAN said that the Working Group had concluded its consideration of reports concerning rights covered by articles 10 to 12 of the International Covenant.

The meeting rose at 1.10 p.m.