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

Reports submitted by States parties to the International Covenant
on Economic, Social and Cultural Rights concerning rights covered
by articles 13 to 15, in accordance with the third stage of the
programme established by the Economic and Social Council in
resolution 1988 (LX)

Note by the Secretary-General

1. In accordance with article 16 of the International Covenant on Economic, Social and Cultural Rights, the States parties to the Covenant undertake to submit reports on the measures they have adopted and the progress made in achieving the observance of the rights recognized therein. All reports are to be submitted to the Secretary-General, who transmits copies to the Economic and Social Council for consideration in accordance with the provisions of the Covenant. The Secretary-General also transmits to the specialized agencies copies of the reports, or any relevant parts thereof, from States parties to the Covenant which are also members of those specialized agencies, in so far as the reports relate to any matters falling within the competence of the agencies in accordance with their constitutional instruments.

2. Under article 17 of the Covenant, the States parties to the Covenant furnish their reports in stages, in accordance with a programme established by the Economic and Social Council. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the Covenant. When relevant information has previously been furnished to the United Nations or to any specialized agency by an State party to the Covenant, it is not necessary to reproduce that information; instead a precise reference to the information furnished may be given.

3. As provided for under article 17 of the Covenant, the Economic and Social Council, by resolution 1988 (LX) of 11 May 1976, established the following programme under which the States parties to the Covenant were requested to furnish in biennial stages, the reports referred to in article 16 thereof:

First stage: rights covered by articles 6-9;

Second stage: rights covered by articles 10-12;

Third stage: rights covered by articles 13-15.

4. By the same resolution, the Council invited the States parties to submit to the Secretary-General, in conformity with part IV of the Covenant and in accordance with the programme mentioned above, reports on the measures they have adopted and the progress made in achieving the observance of the rights recognized in the Covenant and to indicate, when necessary, factors and difficulties affecting the degree of fulfilment of their obligations under the Covenant. The Council decided that the reports on the rights included in the first stage of the programme should be transmitted by 1 September 1977 and the reports on the subsequent stages at biennial intervals thereafter (i.e., articles 10 to 12 by 1 September 1979, and articles 13 to 15 by 1 September 1981). It is also decided that a sessional working group of the Economic and Social Council, with appropriate representation of States parties to the Covenant, and with due regard to equitable geographical distribution, should be established by the Council whenever reports were due for consideration by the Council, for the purpose of assisting it in the consideration of such reports.

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

6. At the 3rd plenary meeting, on 6 February 1981, the President appointed the following Member States as members of the Sessional Working Group: Barbados, Bulgaria, Ecuador, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Jordan, Libyan Arab Jamahiriya, Nicaragua, Norway, Senegal, Spain, Union of Soviet Socialist Republics and Zaire. The Sessional Working Group held its 1981 session at United Nations Headquarters from 14 April to 1 May 1981. It continued its consideration of reports submitted by States parties in accordance with Council resolution 1988 (LX) and examined the reports concerning rights covered by articles 6 to 9 and articles 10 to 12 of the Covenant. The Group also considered the question of the revision of its composition, organization and administrative arrangements and submitted a report on its activities to the Economic and Social Council at the first regular session of 1981 (E/1981/64).

7. In accordance with its methods of work, approved by Council resolution 1979/43 of 11 May 1979 and subsequently revised by Council decision 1981/158 of 8 May 1981, the Working Group of Governmental Experts on the Implementation of the

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International Covenant on Economic, Social and Cultural Rights shall meet once yearly for a period of three weeks, starting one week before the first regular session of the Economic and Social Council, and shall consider the reports submitted by States parties under article 16 of the Covenant, normally in the order in which they are received by the Secretary-General. The representatives of the reporting States are entitled to be present at the meetings of the Working Group when their reports are examined, to make statements on the reports submitted by their States and to answer questions which may be put to them by the members of the Working Group.

8. In accordance with the programme established by the Council in resolution 1988 (LX), reports under the third stage (articles 13 to 15) were due on 1 September 1981 from the following 69 States parties: Australia, Austria, Barbados, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Guinea, Guyana, Honduras, Hungary, Iceland, India, Iran, Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia and Zaire.

9. In a note verbale dated 25 March 1981, the Secretary-General brought to the attention of the above-mentioned States parties the provisions of articles 16 and 17 of the Covenant, as well as the relevant provisions of Council resolution 1988 (LX). He transmitted to States parties the general guidelines for reports on articles 13 to 15 of the Covenant drawn up by the Secretary-General, in co-operation with the specialized agencies concerned, in accordance with paragraph 8 of Council resolution 1988 (LX), and requested them to submit their reports under the third stage of the programme by 1 September 1981 for transmission to the Economic and Social Council at its first regular session of 1982. The general guidelines drawn up by the Secretary-General for reports under the third stage of the programme are reproduced in the annex to the present document.

10. The reports of the States parties under the third stage of the programme (rights covered by articles 13 to 15) will be issued in addenda to this document.

Annex

GENERAL GUIDELINES FOR REPORTS ON ARTICLES 13 TO 15 OF THE INTERNATIONAL
COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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

I. GUIDELINES FOR REPORTING ON ALL THE RIGHTS RECOGNIZED
IN ARTICLES 13 TO 15 OF THE COVENANT

A. In accordance with articles 16 and 17 of the Covenant and with the programme set forth in resolution 1988 (LX) of the Economic and Social Council, Governments of the States Parties to the Covenant are requested to report, by 1 September 1981, on the rights covered in part III, articles 13 to 15 of the Covenant. As stated in articles 16 (1) and 17 (2) of the Covenant, Governments are invited to report on "the measures which they have adopted and the progress made in achieving the observance of the rights recognized [in these articles]" and to indicate any "factors and difficulties affecting the degree of fulfilment of obligations under [these articles]".

B. It is suggested that in this third series of reports, Governments should describe the basic conditions prevailing in their countries, as well as the basic programmes and institutions relevant to the rights dealt with in articles 13 to 15, and that they should stress the developments regarding these conditions, programmes and institutions which have taken place since the entry into force of the Covenant - that is, since 3 January 1976.

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

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

E. In accordance with paragraph 2 of Council resolution 1988 (LX), the States Parties are requested, in reporting on the rights covered by articles 13 to 15, to give attention to the matters dealt with in parts I and II (articles 1 to 5) of the Covenant, namely:

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

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(2) Measures taken to guarantee the exercise of the rights covered by articles 13 to 15 without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (article 2 (2));

(3) To what extent non-nationals are guaranteed the rights dealt with in articles 13 to 15;

(4) Measures taken under article 3 of the Covenant to ensure the equal rights of men and women to the enjoyment of the rights set forth in articles 13 to 15;

(5) Limitations which may have been imposed upon the exercise of the rights set forth in articles 13 to 15, the reasons therefore, and safeguards against abuses in this regard, with copies of the relevant laws, regulations and court decisions (articles 4 and 5).

II. ARTICLE 13: RIGHT TO EDUCATION

A. Principal laws, administrative regulations, collective agreements, court decisions and other arrangements relevant to the right of everyone to education in its various aspects, as set out in article 13.

B. Measures taken to promote the full realization of the rights of everyone to education with a view to achieving:

(1) The full development of the human personality and the sense of its dignity;

(2) The strengthening of respect for human rights and fundamental freedoms;

(3) The development of human rights teaching;

(4) The effective participation of all persons in a free society;

(5) The promotion of understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups;

(6) The furtherance of the activities of the United Nations for the maintenance of peace.

C. Right to primary education

(1) Measures taken to achieve the full realization of the right of everyone to receive compulsory and free primary education, including special provisions relating to specific groups such as young girls, children of low-income groups, children in rural areas, children who are physically or mentally disabled, children of immigrants and of migrant workers, children belonging to linguistic, racial, religious or other minorities, and children belonging to indigenous sectors of the population;

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- (2) Percentage of children covered by primary education;
- (3) Extent to which primary education is free;
- (4) Factors and difficulties affecting the degree of realization of this right and progress achieved.

D. Right to secondary education

- (1) Measures aimed at making secondary education in its different forms generally available and accessible to everyone;
- (2) Measures aimed at making technical and vocational secondary education generally available and accessible to everyone;
- (3) Plans and legal provisions adopted or proposed in order to achieve the progressive introduction of free secondary education for all, with reference to problems encountered therein;
- (4) Factors and difficulties affecting the degree of realization of this right.

E. Right to higher education

- (1) General and specific measures taken to make higher education equally accessible to all, on the basis of capacity;
- (2) Practical steps taken to provide financial and other assistance to students in higher education, including measures directed at the progressive introduction of free higher education;
- (3) Factors and difficulties related to making higher education equally accessible to all, including, in particular, problems of discrimination.

F. Right to fundamental education

- (1) General and specific measures taken to encourage and intensify fundamental education for persons who have not received or completed the whole period of their primary education - for example, details of adult literacy programmes;
- (2) Factors and difficulties affecting the implementation of this right, including information on specific and disadvantaged groups, particularly in rural areas, for which appropriate measures have not yet been fully implemented;
- (3) Statistical data showing the evolution in the realization of the right to fundamental education.

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G. Development of a system of schools

(1) Principal laws, administrative regulations and collective agreements designed to promote the development of a system of schools at all levels;

(2) Comprehensive schemes and practical measures taken to develop a system of schools, such as the provision of finance, the building of schools and the provision of educational material;

(3) Statistical and other comparative data relating to the development of a system of schools at all levels;

(4) Factors involved and difficulties encountered.

H. Establishment of an adequate fellowship system

(1) Principal laws, administrative regulations and collective agreements designed to establish an adequate fellowship system for all types of education;

(2) Measures taken or proposed, including reference to programmes of affirmative action designed to overcome obstacles such as all forms of discrimination or poverty;

(3) Factors involved and difficulties encountered.

I. Improvement of the material conditions of teaching staff

(1) Principal laws, administrative regulations and collective agreements and other types of arrangements designed to continuously improve the material conditions of teaching staff;

(2) Measures adopted in the public and private sectors, including those relating to working conditions, salaries, social security, career possibilities and continuing education for teaching staff;

(3) Extent to which teachers and their organizations are able to participate in the formulation of educational plans, both national and in the educational establishment in which they are employed and preparation of curricula and teaching materials;

(4) Factors and difficulties affecting improvement of the material conditions of teaching staff.

J. Right to choice of school

(1) Principal laws, administrative regulations, collective agreements and court decisions relating to the promotion of the right of parents and legal guardians to choose for their children schools other than those established by the public authorities.

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(2) Measures taken or proposed in order to promote the right of parents to ensure the religious and moral education of their children in conformity with their own convictions;

(3) Measures taken or proposed in order to promote respect for this right, including the opportunity to attend a school where teaching is in the native language;

(4) Factors and difficulties affecting the degree of realization of the right.

K. Liberty to establish and direct educational institutions

(1) Principal laws, administrative regulations and collective agreements designed to prevent interference with the liberty of individuals and bodies to establish and direct educational institutions, in accordance with article 13 (4) of the Covenant;

(2) Practical measures designed to prevent interference with this liberty.

III. ARTICLE 14: PRINCIPLE OF COMPULSORY EDUCATION,
FREE OF CHARGE FOR ALL

(1) Principal laws, administrative regulations and other decisions designed to secure in the metropolitan territory, or other territories under the jurisdiction of the reporting State, the principle of compulsory primary education, free of charge for all;

(2) Details of the plan of action, general and specific measures and stages adopted in accordance with article 14 for the progressive implementation of the principle of compulsory education free of charge for all;

(3) Factors and difficulties affecting the promotion of this principle.

IV. ARTICLE 15: RIGHT TO TAKE PART IN CULTURAL LIFE AND TO ENJOY THE
BENEFITS OF SCIENTIFIC PROGRESS AND THE PROTECTION OF THE
INTERESTS OF AUTHORS

A. Right to take part in cultural life

(1) Principal laws, administrative regulations, collective agreements and court decisions relating to the right of everyone to take part in cultural life, including those aimed at the conservation, development and diffusion of culture;

(2) Practical measures for realization of this right, including:

(a) Information on the availability of funds for the promotion of cultural development and popular participation in cultural life, including information on public support for private initiative;

- (b) A description of the institutional infrastructure established for the implementation of policies to promote popular participation in culture, such as cultural centres, museums, libraries, theatres and cinemas;
- (c) Over-all policy and specific measures aimed at the promotion of cultural identity as a factor of mutual appreciation among individuals, groups, nations and regions;
- (d) An indication of measures and programmes aimed at promoting awareness and enjoyment of the cultural heritage of national ethnic groups and minorities and of indigenous sectors of the population;
- (e) A description of the role of mass media and communications media in promoting participation in cultural life;
- (f) Over-all policy and specific measures aimed at the preservation and presentation of mankind's cultural heritage;
- (g) Legislation protecting the freedom of artistic creation and performance, including the freedom to disseminate the results of such activities, as well as an indication of any restrictions or limitations imposed on that freedom;
- (h) Information on professional education in the field of culture and art;
- (i) Any other measures taken for the conservation, development and diffusion of culture.

(3) Factors involved and difficulties encountered.

B. Right to enjoy the benefits of scientific progress and its applications

(1) Principal laws, administrative regulations, collective agreements and court decisions relevant to the promotion of the right of everyone to enjoy the benefits of scientific progress and its applications, including those aimed at the conservation, development and diffusion of science;

(2) Measures taken to ensure the application of scientific progress for the benefit of everyone, including measures to promote a healthy and pure environment and information on the institutional infrastructures established for that purpose;

(3) An indication of measures taken to promote the diffusion of information on scientific progress;

(4) Measures taken to prevent the use of scientific and technical progress for purposes which are contrary to the enjoyment of all human rights, including the rights to life, health, personal freedom, privacy, and the like;

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(5) Any restrictions which are placed upon the exercise of this right, with details of the legal provisions prescribing such restrictions.

C. Protection of moral and material interests of authors

(1) Principal laws, administrative regulations, collective and other agreements and court decisions relevant to the right of everyone to benefit from the protection of moral and material interests resulting from any scientific, literary or artistic work of which he or she is the author;

(2) Information on the practical measures aimed at the full implementation of this right, including provision of the necessary conditions for scientific, literary and artistic activities, and the protection of intellectual property rights resulting from such activities;

(3) Difficulties affecting the degree of realization of this right.

D. Steps taken for the conservation, development and diffusion of science and culture

(1) Principal laws, administrative regulations, collective agreements and court decisions designed to conserve, develop and diffuse science and culture at the constitutional level, within the national educational system and by means of the communications media;

(2) Information on all other practical steps taken to promote such conservation, development and diffusion.

E. Right to the freedom of scientific research and creative activity

(1) Principal laws, administrative regulations, collective agreements and other types of arrangements designed to promote the right of everyone to the freedom indispensable for scientific research and creative activity;

(2) Information on measures designed to promote enjoyment of this right, including the creation of all necessary conditions and facilities for scientific research and creative activity;

(3) Measures taken to guarantee the freedom of exchange of scientific, technical and cultural information, views and experience between scientists, writers, creative workers, artists and other creative individuals and their respective institutions;

(4) Measures taken to support learned societies, academies of science, professional associations, unions of workers and other organizations and institutions engaged in scientific research and creative activities;

(5) Factors involved and difficulties encountered.

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F. Encouragement and development of international contacts and co-operation in the scientific and cultural fields

(1) Principal laws, administrative regulations and collective agreements designed to encourage and develop international contacts and co-operation in the scientific and cultural fields;

(2) Information on measures taken for:

(a) The fullest utilization, by all the States concerned, of the facilities afforded by their adherence to regional and international conventions, agreements and other instruments in the scientific and cultural fields;

(b) Participation by scientists, writers, artists and others involved in scientific research or creative activity, in international scientific and cultural conferences, seminars, symposiums, etc.;

(3) Factors and difficulties affecting the development of international co-operation in the scientific and cultural fields.
