

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPORT ON THE SECOND SESSION

(8-25 February 1988)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1988

SUPPLEMENT No. 4



UNITED NATIONS

New York, 1988

NOTE

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

E/1988/14
E/C.12/1988/4

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ABBREVIATIONS

AIDS	Acquired immuno-deficiency syndrome
FAO	Food and Agriculture Organization of the United Nations
GNP	Gross national product
ILO	International Labour Organisation
OECD	Organisation for Economic Co-operation and Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
WFP	World Food Programme
WHO	World Health Organization

EXPLANATORY NOTE

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

Chapter I

ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Covenant

1. As at 25 February 1988, the closing date of the second session of the Committee on Economic, Social and Cultural Rights, there were 91 States parties to the International Covenant on Economic, Social and Cultural Rights which was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. The Covenant entered into force on 3 January 1976 in accordance with the provisions of its article 27. A list of States parties to the Covenant is contained in annex I to the present report.

B. Opening and duration of the session

2. The second session of the Committee on Economic, Social and Cultural Rights, established in accordance with Economic and Social Council resolution 1985/17 of 28 May 1985, was held at the United Nations Office at Geneva from 8 to 25 February 1988.

3. The Committee held 24 meetings (1st to 24th meetings). An account of the deliberations of the Committee is contained in the relevant summary records (E/C.12/1988/SR.1-24).

C. Membership and attendance

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

5. All members of the Committee, except Mr. E.P. Sviridov, attended the second session. Mr. Daoudy and Mr. Rattray attended only a part of the session.

6. The following specialized agencies were represented by observers: ILO and UNESCO.

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

Category II: Four Directions Council, International Commission of Health Professionals, for Health and Human Rights.

D. Election of officers

8. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, the Committee at its 1st meeting, on 8 February 1988, elected the members of its Bureau. It decided to re-elect the officers of the first session as officers of its second session, as follows:

Chairman: Mr. Ibrahim Ali BADAWI EL SHEIKH

Vice-Chairmen: Mr. Juan ALVAREZ VITA

Mr. Adib DAOUDY

Mr. Wladyslaw NENEMAN

Rapporteur: Mr. Philip ALSTON

E. Agenda

9. At its 2nd meeting, on 8 February 1988, the Committee adopted the items listed on the provisional agenda submitted by the Secretary-General (E/C.12/1988/3) as the agenda of its second session. The agenda of the second session, as adopted, was as follows:

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

F. Organization of work

10. The Committee considered its organization of work at its 2nd meeting on 8 February 1988. In connection with this item, the Committee had before it the following documents:

- (a) Report of the Committee on Economic, Social and Cultural Rights on its first session (E/C.12/1987/5);
- (b) Draft programme of work for the second session of the Committee on Economic, Social and Cultural Rights, prepared by the Secretary-General in consultation with the Chairman of the Committee (E/C.12/1988/L.1);
- (c) Provisional agenda for the meeting of persons chairing the supervisory bodies entrusted with the consideration of reports submitted by States parties to United Nations instruments on human rights (E/C.12/1988/L.2), brought to the attention of the Committee by the Secretary-General in accordance with General Assembly resolution 42/105 of 7 December 1987;
- (d) General Assembly resolutions 42/102, 42/103 and 42/105 of 7 December 1987 relating to the implementation of the International Covenants on Human Rights and the reporting obligations of States parties to United Nations conventions on human rights;
- (e) Resolutions and decisions of the Economic and Social Council relating to the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/1987/1) and Council resolutions 1987/4 and 1987/5, of 26 May 1987.

11. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, the Committee at its 2nd meeting considered the draft programme of work for its second session proposed by the Secretary-General (E/C.12/1988/L.1) and approved it, as amended during consideration (see E/C.12/1988/L.1/Rev.1). 2/ Accordingly, the Committee agreed to postpone to its third session the reports submitted by the following States parties to the Covenant: initial reports on articles 6 to 9 of Panama (E/1984/6/Add.19) and the Netherlands (E/1984/6/Add.20); initial reports on articles 10 to 12 of Cameroon (E/1986/3/Add.8), Tunisia (E/1986/3/Add.9) and France (E/1986/3/Add.10); initial reports on articles 13 to 15 of Rwanda (E/1982/3/Add.42); Iran (Islamic Republic of) (E/1982/3/Add.43) and the Netherlands (E/1982/3/Add.44); second periodic reports on articles 6 to 9 of Canada (E/1984/7/Add.28) and Rwanda (E/1984/7/Add.29); second periodic reports on articles 10 to 12 of Panama (E/1986/4/Add.22) and United Kingdom of Great Britain and Northern Ireland (E/1986/4/Add.23).

G. Establishment of a sessional working group

12. Also at its 2nd meeting, the Committee set up a sessional working group, composed of five members, to consider the Committee's methods of work and to develop general guidelines for the preparation of reports pursuant to articles 16 and 17 of the Covenant, taking due account of the compilation of guidelines

prepared by the Secretary-General, and focusing on such specific information as would assist the Committee to carry out its mandate more effectively. The sessional working group held a number of meetings during the second session of the Committee.

13. Suggestions and recommendations formulated by the sessional working group were considered and approved by the Committee at its 21st and 22nd meetings, held on 23 February 1988 (see chapter IV).

Chapter II

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

14. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, the Committee at its 20th, 21st and 22nd meetings, held on 22 and 23 February 1988, considered the status of submission of reports under articles 16 and 17 of the Covenant.

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

- (a) Reports of the Secretary-General on reporting obligations of States parties to United Nations conventions on human rights (A/40/600 and Add.1 and A/41/510);
- (b) Reservations, declarations and objections relating to the International Covenant on Economic, Social and Cultural Rights: note by the Secretary-General (E/C.12/1988/1);
- (c) States parties to the Covenant and the status of submission of reports: note by the Secretary-General (E/C.12/1988/2);
- (d) Compilation of general guidelines regarding the form and contents of reports to be submitted by States parties: note by the Secretary-General (E/C.12/1987/2);
- (e) General Assembly resolutions 42/102, 42/103 and 42/105 of 7 December 1987 and Economic and Social Council resolutions 1987/4 and 1987/5 of 26 May 1987.

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

Chapter III

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

17. At its second session, the Committee examined 15 reports submitted by 11 States parties under articles 16 and 17 of the Covenant. It devoted 18 of the 24 meetings it held during the second session to the consideration of these reports (E/C.12/1988/SR.3-20). The following reports, listed in the order in which they had been received by the Secretary-General, were before the Committee at its second session:

Initial reports concerning articles 6 to 9 of the Covenant

Afghanistan	E/1984/6/Add.12
Austria	E/1984/6/Add.17
Zaire	E/1984/6/Add.18

Initial reports concerning articles 10 to 12 of the Covenant

Zaire	E/1986/3/Add.7
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Second periodic reports concerning articles 10 to 12 of the Covenant

Cyprus	E/1986/4/Add.2
Mongolia	E/1986/4/Add.9
Poland	E/1986/4/Add.12
Sweden	E/1986/4/Add.13
Denmark	E/1986/4/Add.16
Romania	E/1986/4/Add.17
Chile	E/1986/4/Add.18
Byelorussian Soviet Socialist Republic	E/1986/4/Add.19
Bulgaria	E/1986/4/Add.20
Norway	E/1986/4/Add.21

Initial reports concerning articles 13 to 15 of the Covenant

Austria	E/1982/3/Add.37
Jordan	E/1982/3/Add.38
Yugoslavia	E/1982/3/Add.39
Chile	E/1982/3/Add.40
Zaire	E/1982/3/Add.41

18. At its 2nd meeting, held on 8 February 1988, the Committee agreed, at the request of the Governments concerned, to postpone to its third session consideration of the initial report of Afghanistan concerning articles 6 to 9 of the Covenant (E/1984/6/Add.12), the second periodic report of Cyprus concerning articles 10 to 12 of the Covenant (E/1986/4/Add.2) and the initial report of Jordan concerning articles 13 to 15 of the Covenant (E/1982/3/Add.38).

19. The Committee took note with appreciation of the readiness of the Government of Poland to present its report during the second or third week of the Committee's second session, but decided, because of the heavy workload during that part of the session, to postpone to its third session the consideration of the second periodic report of Poland concerning articles 10 to 12 of the Covenant (E/1986/4/Add.12).

20. In accordance with Economic and Social Council resolution 1979/43 of 11 May 1979, representatives of all the reporting States were invited to participate in the meetings of the Committee when their reports were examined. All of the States parties whose reports were considered by the Committee sent representatives to participate in the examination of their respective reports.

21. In response to paragraph 7 of Council resolution 1987/5 of 26 May 1987, in which the Committee was requested, *inter alia*, to explore ways of expediting consideration of reports, such as by imposing time limits on oral interventions, avoiding duplication in questioning, and requesting supplementary material, the Committee decided at its second meeting to adopt the following time limits with respect to each of the component parts of its consideration of the report of a State party: 15 minutes for an introductory statement by the representative of the State party; 90 minutes for comments and questions by the members of the Committee (reflecting an average of 5 minutes per member); 60 minutes for a reply by the representative to the issues raised by Committee members; and 15 minutes to enable members to follow up on particular issues and to make an assessment of the report under consideration.

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

Austria (arts. 6 to 9)

23. The Committee considered the initial report of Austria concerning rights covered by articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights (E/1984/6/Add.17) at its 3rd and 4th meetings, held on 9 February 1988 (E/C.12/1988/SR.3 and 4).

24. The report was introduced by the representative of the State Party, who explained that, in Austria, there was a special form of co-operation between workers' and employers' organizations. Such organizations formed a system of joint social enterprises or "chambers" which, together with the trade unions defending the interests of workers, played a very important role in co-operation between the country's economic forces and in the harmonization of measures taken under the economic and social policy to deal with any problems which might arise.

25. He stressed that the principle of freedom with regard to work and, in particular, the free choice of occupation and membership of a trade union without interference on the part of the State, had been embodied in the Austrian Constitution. Nevertheless, the labour market authorities granted assistance to private bodies and institutions set up to provide vocational training and placement services.

26. He went on to give recent figures for unemployment in Austria, where the number of unemployed had fallen, from January 1987 to January 1988, to a level of 7.7 per cent of the workforce. He explained that the unemployment problem seemed really to be one of regional distribution of jobs, since the number of jobs available in Austria in 1988 was 10.7 per cent higher than in 1987.

27. He also referred to the measures provided in Austria for the protection of workers in such areas as conditions of employment, hygiene and safety, social security and sickness insurance. In that regard, he said that a special commission had been formed to ensure that the right to social security was guaranteed to all members of the population.

General observations

28. Some members of the Committee noted that the report did not contain sufficient details regarding the implementation of the first articles of the Covenant concerning the principle of non-discrimination in measures taken to guarantee economic, social and cultural rights. They expressed the hope that more complete information would be forthcoming on the general implementation in Austria of the provisions of article 1, paragraph 2, and article 9, taken in conjunction with article 3 of the Covenant. They asked, among other things, what was the actual situation regarding equality between men and women with regard to access to employment, remuneration and retirement conditions and what was the significance of a Constitutional Court decision to the effect that "unequal treatment of the two sexes was permissible if justified by the nature of the respective sex" (E/1984/6/Add.17, para. 10).

29. It was noted that the report referred to differences in the way Austrian nationals and non-nationals were treated with regard to some economic rights and social benefits and the view was expressed that such differences of treatment in a highly developed country like Austria appeared to run counter to the provisions of the Covenant. In that regard, the Committee asked whether members of minorities living in Austria were treated like other Austrian citizens, exactly which groups of individuals did not receive social security benefits, what was the relationship in percentage terms between social security benefits and workers' incomes, what was the percentage of migrant workers in relation to the Austrian population and what were the economic and social rights of those workers, as well as the rights of refugees in Austria.

30. The Committee also asked to what extent the rights set forth in articles 6 to 9 of the Covenant had been the subject of court cases, what measures had been taken in Austria to ensure the wide distribution of the text of the Covenant, whether the Government's report had been prepared with the participation of non-governmental organizations and distributed throughout the country, and whether all the international instruments to which Austria was party had the same status under domestic law as the Covenant.

31. With regard to the social dialogue existing in Austria, further details were requested regarding the role of the State in areas other than labour, such as taxes, housing, education and health.

32. In his reply, the representative, referring to the non-discrimination clause in the Covenant, stated that in some cases there was positive discrimination in favour of women, who were not allowed to work in mines, at night or during pregnancy, or who were entitled to retirement at an age lower than that of men; in other cases, especially in respect of access to employment and pay in private enterprises, discrimination against women existed in his country as a matter of tradition, which was very hard to change. However, an Equal Treatment Commission had been set up to which anyone might apply if they believed they were receiving less pay than others for comparable work.

33. The representative also stated that there was no legal provision in Austria allowing discrimination against ethnic minorities, non-citizens or migrant workers to accede to employment. Disadvantaged people and, in particular, refugees, enjoyed social welfare benefits.

34. In addition, the representative explained that his Government was trying to formulate fundamental rights in a new instrument and that it was the intention of the Austrian authorities to include in the Constitution, in particular, the right of participation in a social insurance scheme and the obligation of the State to provide adequate institutions for the purpose. That right would be justiciable since anyone excluded could appeal to the courts and the Government would be prepared to change the law in accordance with the decision of the Courts. He explained also that according to Austrian law an international convention could either immediately become part of domestic law or could remain an international obligation and be implemented by internal statutes. The Covenant was not directly applicable in domestic law and could not be invoked in court proceedings. An application to a court had to rely on a specific domestic statute and not on the Covenant. He added that the text of the Covenant was available in German and it had been published in the Official Gazette and that no consultation outside Government circles had been made for the preparation of his Government's report.

35. As regards the role of the State in relation to the social partnership, the representative stated that social partners had complete autonomy in negotiations and that their consensus views were taken into account by the Government in its policy. Taxation matters were generally dealt with by other bodies, such as co-operative housing associations.

Article 6: Right to work

36. The Committee noted that the Austrian Bill of Rights of 1867, as included in the Constitution of 1867, guaranteed Austrian citizens the right to free choice of occupation and asked whether Austrian law specifically recognized the right to work as defined in the provisions of the Covenant. It also asked whether dismissal was accepted under Austrian law, whether dismissal was subject to any judicial control, whether dismissed workers were entitled to compensation or could be reinstated in another enterprise in the event of unlawful dismissal and whether mass dismissals had taken place as a result of economic restructuring.

37. The Committee also asked for details on the planning of vocational training and its results, on the rate of unemployment in Austria, particularly long-term unemployment involving loss of entitlement to unemployment benefits, and on the remedies contemplated. It also asked whether the right to compensation for loss of earnings caused by insolvency, as provided by Austrian law, precluded the payment of benefits to which the worker was entitled in the event of unemployment.

38. Replying to questions of the members of the Committee, the representative of Austria stated that in the Austrian legal order the right to work, understood as a right to a job or a specific job, was not guaranteed: employment opportunities depended on the economic situation and the authorities could only guarantee the right to receive help in finding a job and in overcoming difficulties relating to unemployment. Under the Austrian system of private labour contracts, a contract could be denounced under certain conditions and within a given time limit, not exceeding six months. Sometimes, dismissal of a group of employees simultaneously was unavoidable.

39. The representative added that Austria had experienced a rise in unemployment from 1980 but the situation was beginning to improve again. Unemployment of women was slightly higher than unemployment of men. Long-term unemployment constituted about 15 per cent of the total unemployment. According to a recent report by the Ministry of Social Administration, the unemployment of young persons between the ages of 19 and 24 had decreased between January 1987 and January 1988 and amounted to a total of 17.2 per cent of the total unemployment. Under the Insolvency-Compensation Covering Act, workers received a single lump-sum settlement in respect of any unpaid wages, including the period of notice required to terminate the work contract.

Article 7: Right to just and favourable conditions of work

40. It was noted that wages and remuneration were governed by the Austrian General Civil Code and by a number of special laws. The Committee wondered whether specific legislation regarding conditions of work and the right to work existed in Austria in the form of a labour code. The Committee also asked what were the effects of the length of maternity leave on efficiency of production and what was the attitude of employers in that regard, whether Austria had any machinery for consultation with workers on the minimum wage, how the ILO Equal Remuneration Convention, 1951 (Convention No. 100) was applied in Austria and what measures had been taken to assure all workers of equitable remuneration geared to the cost-of-living index.

41. In his reply, the representative of Austria stated that in his country there were numerous statutes relating to individual sectors of the labour market, but there was no unified labour code. He also stated that employers in Austria were not enthusiastic about the existing maternity leave provisions which remained, nevertheless, a legal obligation. He added that there were no formal consultations with workers concerned about the setting of minimum wages which were established by agreement between the trade union and the employers. Such an agreement was valid between the parties concerned and extended to non-trade union members working in the same enterprise. Moreover, the trade union federation was vigilant on the question of fair remuneration and wages had been increasing faster than the cost of living ever since the Second World War.

Article 8: Trade union rights

42. The members of the Committee asked for details on the level of unionization of workers in Austria. They also asked what was the spirit of the regulations on the right to strike in Austria and whether Austrian courts had the power to declare a strike illegal or unjustified. It was noted that, in Austria, a worker who went on strike was considered to be in breach of the labour contract and held responsible for compensatory payments. The Committee asked whether Austria intended to enact legislation ensuring observance of the right to strike referred to in article 8, paragraph 1 (d), of the Covenant. Some members of the Committee pointed out that the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (Convention No. 87), which Austria had ratified, established the right of workers to organize and to bargain collective, and that the right to strike provided workers with a means of defending their interests. They also asked for information on the role of the State in collective agreements and on the content of such agreements and on the reasons why Austria had not ratified the ILO Labour Relations (Public Service) Convention, 1978 (Convention No. 151).

43. In his reply, the representative of the State party pointed out that in Austria there was one trade union federation with 15 branch unions with a membership of approximately 1.5 million workers. He stated that according to the Austrian theory of labour law, both strikes and lock-outs constituted breaches of the work contract; however, there was a good relationship between social partners in Austria and consequently very few strikes. Workers on strike were not subject to criminal prosecution, although they might be held liable for damages under civil law. However, there was no case law on the issue in Austria. Public employees had their own trade unions which engaged in negotiations with the competent authorities about the drafting of the relevant legislation to be placed before Parliament.

Article 9: Right to social security

44. The members of the Committee asked whether the social insurance system in Austria was subsidized by the State or whether it was financed solely from the contributions of members and whether the Austrian Government intended to implement the programme established by ILO for dealing with occupational diseases. It was noted that the percentage of elderly persons in Austria was very high, and the Committee asked what measures had been taken to ensure a decent life for pensioners; whether there was a compulsory retirement age and, if so, was the age fixed the same in the private and public sectors; whether a widower whose wife had worked was entitled to receive a widower's pension; and whether pensioners could continue to work. The Committee also asked whether criminal charges could be brought against persons who failed to honour their obligations with regard to maintenance payments and whether the State assumed partial responsibility for the maintenance in question.

45. The representative of the reporting State replied that in Austria the State subsidized the social security system which was based on contributions from employers, employees and the State. Furthermore, discussions were in progress to remodel the pension scheme in order to safeguard future pension entitlements in view of the increasing proportion of elderly people in the Austrian population. Under the existing scheme there was provision for widows' and orphans' pensions as well as for widowers' pensions.

46. In accordance with paragraph 9 of Economic and Social Council decision 1981/158 of 8 May 1981, the representative of ILO informed the Committee of the comments made by the Committee of Experts on the application of ILO conventions and recommendations concerning Austria's implementation of a number of ILO conventions to which it was party and which were relevant to articles 6 to 9 of the Covenant. He also informed the Committee of the views of ILO supervisory bodies on the exercise of the right to strike.

Concluding observations

47. In concluding the consideration of the report, the Chairman thanked the representative of Austria for answering the Committee members' questions and invited him to convey to his Government the concerns expressed by them during the debate. These included, in particular, the question of the status of the right to strike under Austrian law. He stated that it would be extremely useful to the Committee to receive more detailed information on certain questions relating to the implementation of the Covenant in Austria which could be provided by the Government either in its next periodic report or in a brief supplementary report. In this regard particular mention was made of the issue of non-discrimination in the enjoyment of social benefits.

48. In the course of the adoption of the present summary it was noted that there appears to be an imbalance in the extent and nature of the concluding observations made with respect to the report of Austria compared to those made with respect to the reports of some other States considered at this session. It was explained that this was attributable not to the particular details of the report of Austria and of its presentation but to the relative newness of the procedures adopted by the Committee in making concluding observations.

Austria (arts. 13-15)

49. The Committee considered the initial report of Austria on the rights referred to in articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/1982/3/Add.37) at its third meeting, on 9 February 1988 (E/C.12/1988/SR.3).

50. In introducing the report, the representative of the State party said that, in Austria, education was compulsory up to the age of 15 and that higher education and participation in cultural life were accessible to all. He also explained that the State recognized the freedom of scientific work, art and research and promoted cultural activities by, among other things, granting subsidies.

Articles 13 and 14: Right to education

51. The Committee asked for further details on the three types of education in Austria and, on a more general level, whether a new illiteracy existed and was increasing in Austria as in other developed countries, and, if so, what remedies were envisaged.

52. The Committee also asked about Austria's policy with regard to the education of the children of migrant workers and, in particular, whether it endeavoured to integrate such children into the Austrian school population or whether it provided

special classes or schools for them, with instruction in their mother tongue. The Committee also asked about the respective areas of competence of the State authorities and the Länder authorities with regard to educational legislation; about the effect of the concordat between the Holy See and the Austrian Government on education; about the arrangements for the separation of Church and State and the consequent legal restrictions on religious education in Austria; about the proportion of public education establishments compared to private education establishments in Austria; whether the latter were on the increase; and whether the debate on public and private education was a political issue.

53. In addition, the members of the Committee asked for further details on the type of education provided to adults by the Confederation of Austrian Trade Unions. They also asked what was the percentage of women students or teachers in higher education, from what age education was compulsory, whether pre-school and private education were free, how many scholarships the Austrian Government had awarded in recent years, whether human rights were taught in primary and secondary schools and what proportion of students completed further education studies. The Committee also asked whether higher education by correspondence existed in Austria, whether those who took courses at home subsequently had the same opportunities as others, what steps were taken to enable disabled persons to exercise fully their right to education and whether vocational education in the creative arts was well-developed.

54. In response to these questions, the representative of Austria said that research was being conducted into the question of the new illiteracy and he referred to a diagram to provide clarifications on the national system of education.

55. The children of migrant workers attended the same schools as Austrian children, in addition to special courses in German and in their own language, particularly in schools where such children accounted for a given minimum proportion of the student body.

56. He went on to explain that, in Austria, legislation on methods of education and school curricula were matters for the Federal authorities, but that the respective areas of competence of the Federal and Länder authorities in regard to education were quite separate, although still open to modification. The 1934 concordat between the Holy See and the Austrian State accorded the Catholic Church the right to provide catholic religious instruction in schools for children of that faith. Private education played a very small role in national education, and there were no private universities in Austria.

57. He further explained that the Confederation of Austrian Trade Unions offered vocational training, that the country's twelve universities were attended by 162,000 students, of whom 70,000 were women, that there were no fees for admission to primary, secondary or higher education institutions, that textbooks were provided free of charge and that there was a wide range of scholarships, travel allowances and special study assistance. Furthermore, education at home was not common in Austria; every child was obliged to take the examinations organized by public schools and artistic training was provided by six university-level schools whose student bodies included many non-nationals.

Article 15: Right to take part in cultural life and to enjoy the benefits of scientific progress, and protection of the interests of authors

58. The members of the Committee asked who was responsible for education and cultural policy in Austria and what was the educational and cultural philosophy; how scientific research was organized and what measures had been taken by the Austrian Government to promote international cultural co-operation, in particular with developing countries. They also asked whether the Austrian courts had to deal with many disputes over literary and artistic property, whether the elderly were permitted to attend cultural activities at reduced prices and what systems of subsidies existed in Austria to enable persons with limited means to have access to high quality cultural activities.

59. The representative of Austria replied that the Austrian Parliament had the last word in formulating national education policy and that all parliamentary decisions on that matter had to be taken by a two-thirds majority. Radio and television broadcasting in Austria was the preserve of a monopoly which was supervised by a body of representatives of the various sectors of public life. Scientific research was conducted mostly in universities and also in a number of private-sector enterprises and received either State or private subsidies.

60. Austria participated in international cultural co-operation through artistic events and by accepting many foreign students in its universities. With regard to the protection of intellectual property, Austria had a type of conciliation procedure which authors and artists could avail themselves of if they considered their rights to have been infringed, but few such cases had been brought before the courts. Moreover, the fact that important cultural events were subsidized by industrial concerns meant that admission prices could be lowered in order to make them accessible to a large number of people.

Concluding observations

61. Following the consideration of the report, the Chairman thanked the representative of Austria for the highly useful information which he had provided.

Mongolia (arts. 10-12)

62. Mongolia's second periodic report, concerning articles 10 to 12 of the Covenant (E/1986/4/Add.9), was considered by the Committee at its 5th and 7th meetings, held on 10 and 11 February 1988 (E/C.12/1988/SR.5 and 7).

63. The representative of the State party introduced the report. He provided additional information and brought the Committee up to date on the laws adopted since the report had been submitted. Thus, he said that in January 1987 the Council of Ministers had decided to increase maternity leave and benefits; it had also adopted a decree on institutions for children of pre-school age, which was designed to increase the number of nurseries and kindergartens, to give the administrative staff of such institutions teacher training and to improve the qualifications of teachers to a considerable extent. He also informed the Committee that in December 1986, after extensive public debate, the directives on the improvement of the school system had been adopted.

64. The representative also stated that at its fourth plenary session, at the end of 1987, the Central Committee of the Mongolian Revolutionary People's Party had recommended the Government to adopt certain specific measures to deal with social problems in the rural economy, and he described the action taken by the Government. As an example, he mentioned the steps taken to increase pensions for members of agricultural co-operatives by 30 per cent, which had raised the workers' cash income by 16 million tugriks. Special measures taken to encourage the construction of private houses and flats were described. Such measures had led to the construction of new private housing with a total floor space of 30,000 m² in 1987.

65. As regards the difficulties encountered despite the substantial progress made since the initial report in 1981 (E/1980/6/Add.7), the representative of the State party mentioned problems connected with housing construction and the low level of agricultural output. He said his Government was aware of the difficulties it still had to overcome in the economic, social and cultural fields and that it would endeavour to deal with them under its five-year national development plans.

General observations

66. The Committee congratulated the Mongolian Government on its report and its representative on his oral introduction. The members of the Committee noted the substantial progress made in implementing the rights in question since the submission of the initial report, together with the difficulties encountered by Mongolia in the application of the rights set forth in articles 10 to 12 of the Covenant.

67. After it had been noted that living conditions in the country had improved considerably over the seven years since the initial report, the Mongolian representative was asked to describe how the situation had developed and to mention any difficulties that had arisen with regard to the effective exercise by the Mongolian people of their economic, social and cultural rights. The point was made that it would be desirable to have figures for purposes of comparison. Further information was requested on the exact distribution of the Mongolian population by sex and age; the period over which the national income had increased by 37 per cent; the average per capita income; and the rate of inflation since the initial report.

68. With regard to the division of authority among different State bodies in Mongolia, the question was raised whether legal remedies could be invoked in cases where rights guaranteed under the law were violated by the Government. Questions were asked about the position of women in management, their access to higher education and the proportion of women in the labour market.

69. Replying to the general questions put by members of the Committee, the representative of Mongolia provided statistics on his country's socio-economic development. He said that in Mongolia men accounted for 50.1 per cent of the population and women for 49.9 per cent. The age composition of the population was as follows: 0 to 15 - 45.9 per cent; 15 to 55 - 45.6 per cent; 55 and over - 8.5 per cent. The annual per capita income was around \$1,000.

70. As regards the division of authority, he stated that between sessions of the Great People's Khural, its Presidium was the supreme State authority and was responsible for ensuring compliance with the Constitution. In addition, the Council of Ministers could amend or quash decisions taken by ministries, departments or any other administrative bodies.

71. On the status of women, the representative informed the Committee that women constituted 45.6 per cent of the national work force and that they were particularly well represented in science (41.3 per cent), education and culture (62.6 per cent) and public health (78.8 per cent). A quarter of the 370 deputies in the Great People's Khural were women.

Article 10: Protection of the family, mothers and children

72. Members of the Committee asked for details on the definition of the idea of family ties as applied in Mongolian law; the penalties imposed on parents who did not fulfil their obligations to their children; the possibility of religious marriage; the birth rate and the Government's policy with regard to it; the protection of young offenders and the existence of special juvenile courts.

73. Questions were also asked about the number of institutions for disadvantaged children; the average number of marriages per year in Mongolia; and the percentage of divorces in relation to marriages. Further information was requested on the action taken by the Mongolian Government to make it easier to get married and start a family and to help with the education of physically, mentally or socially handicapped children.

74. Further information was requested on the foreign languages taught in secondary schools and the percentage of pupils studying them; and on the application of article 166 of the Mongolian Labour Code, given the country's particular geographical and climatic conditions.

75. Replying to the questions asked, the representative of Mongolia said that the Mongolian Family Code stated that marriage could only take place by mutual consent and forbade marriage between close relatives or with a person who had been judged to be incompetent on mental grounds; it also forbade polygamy. The minimum age for marriage for both men and women was 18, so that any marriage between persons under that age was invalid. The Family Code made no provision for religious marriage, since it had never been the practice in Mongolia, unlike other countries. Divorce could be by administrative decision, by mutual consent if the couple had no children under the age of 18, or by decision of a court. Divorce by administrative decision was permitted if one of the spouses was declared missing or was sentenced to more than five years' imprisonment. There were no "natural families" in Mongolia. Statistics were given for the number of marriages and divorces.

76. Parents who neglected or ill-treated their children were liable to a prison sentence of 12 to 18 months.

77. The representative of the State party explained that minors were not punishable under the criminal code. However, in exceptional cases (murder, rape, etc.), teenagers aged 14 to 17 could be held legally responsible. The question of guardianship and curatorship was governed by the law, particularly articles 10 and 12 of the Civil Code and articles 76 to 86 of the Family Code.

78. With regard to the situation of disadvantaged children, the educational system, the teaching of foreign languages and the maternal and child welfare system, the additional information requested by members of the Committee was provided by the representative of the State party.

Article 11: Right to an adequate standard of living

79. It was noted that the food industry was not succeeding in meeting the population's needs fully, and a question was asked about the measures taken to bring it up to the necessary level.

80. With reference to the idea of an "adequate standard of living", it was asked whether the standard had been officially defined in Mongolia and what steps had been taken to ensure that citizens could maintain it.

81. Questions were asked about the measures taken by the State to encourage housing construction, the terms on which loans were made for the purpose, and on the measures taken to improve peasants' social conditions and stimulate agriculture as the main sector of the economy. It was also asked whether the social measures in question included unemployment benefits. Details were requested on the measures and programmes adopted to improve the supply of clothing for the population, in view of the country's harsh climate.

82. The representative of the State party gave particulars of the measures taken to overcome the backwardness of the food industry, saying among other things that under the current five-year plan it was intended to increase the output of fodder by 30 per cent and to irrigate a further 36,000 hectares of land. A major lorry depot was to be established in the west of the country to improve the transport of fodder. The plan also provided for a 25-per cent increase in the output of the food industry and the establishment or modernization of many meat-processing plants.

83. As regards an "adequate standard of living", the system by which it was guaranteed was described. Attention was drawn to the fact that the Parliament had adopted a comprehensive programme for improving the social and cultural well-being of agricultural workers, which was to be carried out over the next decade.

84. On the question of housing, the representative of the State party informed the Committee that under the current five-year plan about 1.2 million m² of living space was to be built. In 1987, 10,000 families had moved into new flats or improved their housing conditions. In the same year, private citizens had been able to build residences with a total floor-space of 30,000 m². The terms for housing loans had been improved, and a private person could now get a 15-year bank loan of 15,000 tugriks (about \$5,000). The interest rate was only 1 per cent, and in rural areas it was even as low as 0.5 per cent. Private individuals could buy building materials at a rate 30 per cent below the retail price.

85. The supply of clothing was adequate. Social security payments did not include unemployment benefits, because unemployment, like hunger and poverty, was unknown in a socialist society.

Article 12: Right to physical and mental health

86. With reference to State subsidies to encourage the birth rate, members of the Committee expressed a desire for further information on the amount of aid thus given, in United States dollars. With reference to the figure given in the report for the percentage of hospital beds for mothers, it was asked why they were reserved in that way. Information was asked for on the rate and main causes of infant mortality and on the existence in Mongolia of the problem of drug addiction or the misuse of harmful substances. Particulars were also requested on the measures taken to preserve the natural environment.

87. In reply to the questions asked, the representative of the State party informed the Committee about the family allowances paid to mothers and added that 1 dollar was equivalent to about 3 Mongolian tugriks. Noting that his Government attached great importance to maternal and child welfare, he said that was the main reason why 14.3 per cent of hospital beds were for mothers. The birth rate in Mongolia, he said, was one of the highest in the world (36 per thousand in 1985), and parents were free to decide how many children they wanted.

88. In conclusion, the representative of the State party said that socio-economic development in Mongolia and the implementation of the Covenant naturally ran into some difficulties, which could sometimes be major. The country lacked natural resources and manpower. Lax management and a lack of initiative and discipline among workers created extra difficulties, which the Government and the Party were doing their best to deal with. He added that in Mongolia's third periodic report, it would take account of the questions that had been asked and the Committee could be sure that it would be as complete as possible.

Concluding observations

89. At the end of the Committee's consideration of the report, the Chairman thanked the representative of the State party for co-operating with the Committee in a spirit of constructive dialogue and in a common desire to implement the rights set forth in the Covenant.

Romania (arts. 10-12)

90. The second periodic report of Romania on the rights covered in articles 10 to 12 of the Covenant (E/1986/4/Add.17) was considered by the Committee at its 6th meeting, held on 10 February 1988 (E/C.12/1988/SR.6).

91. The report was introduced by the representative of the State party, who pointed out that his Government attached great importance to the moral and material welfare of the family and offered incentives to have children. Furthermore, every effort was made to ensure the best possible conditions for handicapped children.

92. As to article 11 of the Covenant, the representative explained that Romania was one of the few countries without a housing problem. Rents were very low, rarely amounting to more than 8 to 10 per cent of a worker's salary, and 80 per cent of all country housing had been built during the previous 20 years.

93. With reference to article 12 of the Covenant, the representative stated that health care was provided for the entire population free of charge. However, private polyclinics also existed for those who wished to pay for treatment, but

they were far from representing the basis of the health care system. He emphasized the measures which had been taken to improve working conditions and to protect the environment. In this connection, Romania was making efforts to protect food supplies and combat water and air pollution. Nevertheless, there were still difficulties as the necessary technology was expensive and not easily available. He also said that his country had so far been spared certain communicable diseases which were causing serious problems in other countries.

Article 10: Protection of the family, mothers and children

94. Members wished to receive additional information on legal and practical provisions relating to cohabiting unmarried couples, divorce and other cases of separation of families. Clarification was requested on the legislation in force relating to Romanian citizens who wished to marry foreigners, and on conditions that a family had to fulfil in order to obtain a passport. Referring to United Nations statistics which showed that the population growth rate in Romania was 0.7 per cent, some members asked why the figure was so low and what measures were being taken to increase the birth rate. It was also asked whether family planning facilities were available to women who did not wish to become pregnant, what was the policy in respect of the retirement age, and why different family benefits were paid in urban and rural localities.

95. Questions were asked regarding measures existing in Romania to help mothers to bring up their children when the father had died or had left the household. It was also wondered whether there were inequalities between family members, and whether provision had been made for a man to have the same entitlements as women.

96. In addition, clarification was requested on State grants payable in respect of minors, about the number of handicapped children, and on measures of protection of young workers. Some members also wished to know whether the rights of children born out of wedlock were the same as those born within marriage.

97. In reply to questions concerning the family, the representative stated that there were instances of unmarried couples living together but there was no legal recognition of their existence as such. In such situations, mothers and children did not lose any of their rights, including maternity leave and child allowances. Regarding divorce, he explained that there were legal provisions for divorce, which was neither particularly difficult nor expensive to obtain, even if it was not encouraged. There were instances of separation between married couples, but that was not recognized by the law and the husband was expected to continue to support his wife.

98. Referring to marriages between citizens and non-citizens, the representative pointed out that no distinction was made in law but that it was necessary to obtain prior permission from the Council of State, which asked the parents of the citizen for their views. In general, however, such marriages could take place. He also stated that, in order to obtain a passport, Romanians engaging in tourism or visiting family members living abroad had to prove that they had access to foreign currency. There was no difficulty in such a case about granting them a passport.

99. Regarding the population growth rate, the representative noted that it was a State policy to encourage citizens to have children, but so far the efforts in that direction had not proved very successful. ~~It was rare for couples to have more than two children since most women worked, and home help was hard to find.~~

100. Responding to other questions raised by members of the Committee, the representative stated that retirement age was 57 years for women and 60 years for men with the option of continuing to work until the age of 62 if the enterprise agreed. The pension was 60 per cent of an average of earnings over any five-year period out of the 10 years prior to retirement. The representative also pointed out that child allowance was paid by the State and that this allowance was smaller in the countryside than in the towns because in towns the family was entirely dependent on the parents' wages, whereas country families had other resources. If the father of a child born out of wedlock recognized his paternity in court, the child allowance could be paid to him; otherwise it was paid to the mother.

101. He stressed that all the existing legislation was based on the protection of the mother and the child. In that connection, there were provisions for legal action against husbands who abandoned their families. The errant spouse lost parental rights, which passed to the other parent. There were cases of abandoned children, responsibility for whom was then assumed by the State; however, many were subsequently adopted by childless couples who were eligible to receive the child allowance. Regarding measures of protection of young workers, the representative referred to several ILO conventions concerning the protection of children and young persons in relation to employment and work, and stated that the minimum age for employment was normally 16; for potentially harmful or dangerous work, it was 18.

Article 11: Right to an adequate standard of living

102. Some members wondered whether the existing level of remuneration, social benefits and social services provided the adequate standard of living required by the Covenant, whether there were foreign workers in Romania and, if so, what help they received, and whether there was an unemployment problem in Romania. They asked what machinery existed to determine remuneration, what criteria were used and what was the role of the trade unions in determining the level of remuneration, and whether the national security scheme covered only the employed or also the self-employed and those without an occupation. Observing that in the past five years the national income had increased by 24 per cent and workers' pay only by 8 per cent, some members wished to know the reason for that discrepancy.

103. Members of the Committee wished to receive additional information about the results of the national scientific nutrition programme mentioned in the report (E/1986/4/Add.17, para. 34), and on the calorie intake per person per day.

104. Regarding housing, some members wished to know whether the rents were freely determined by the parties concerned, whether leases could be terminated and, if so, what legal protection was afforded to tenants, whether all rented accommodation belonged to the State, and what was the number of persons per household and the number of rooms per family.

105. In reply to the questions raised by members of the Committee, the representative of Romania stated that the level of wages had been increased in 1987 and the average currently stood at around \$950. In addition he pointed out that medical care and education were free, rents were fixed at 8 to 10 per cent of salary and transport was cheap. Virtually the entire population was covered by social security with the exception of those adults who did not work. Observing that there was a high incidence of cardiovascular disease due to incorrect diet, he emphasized the efforts devoted to the national scientific nutrition programme

(ibid., paras. 34-36). He also highlighted the quality of recently constructed State housing, and said that the State was the sole owner of rented accommodation, which was assigned according to the size of the family, on the basis of a minimum of 8 square metres per person, excluding the bathroom and common areas. Rents were fixed according to the level of wages and the cost of living, and flexibility was shown in helping those who found themselves unable to pay.

Article 12: Right to physical and mental health

106. Some members wished to receive additional information on free medical care, and on the result of the application of the measures to prevent disease and improve children's health, set out in the report (E/1986/4/Add.17, para. 45).

107. It was asked whether priority was given to any type of care for the elderly, what was the average life expectancy, what procedure applied for the enactment of legislation on industrial safety and health, what enforcement machinery was used to ensure that that legislation was applied in the work place, what role was played by the trade unions in that exercise, why, as shown by the United Nations Demographic Yearbook, the rate for mortality linked to maternity was very high, whether there were any problems of drug addiction among young people, or cases of acquired immuno-deficiency syndrome (AIDS), and whether patients in Romanian hospitals could have access to religious guidance from a minister of their faith.

108. Replying to questions raised by members of the Committee, the representative of the State party stated that there were no particular public health problems. Medical care was free but special attention was devoted to small children, who received free prescriptions, whereas adults had to pay. There was no special provision for the aged and average life expectancy was between 65 and 67 years. He also stated that there was no difficulty about a priest visiting a sick person if the latter desired it, and that there had been no cases of AIDS.

109. The representative stressed that, in factories, there were regular visits by inspectors from the Ministry of Health and the Ministry of Labour to ensure that security and health standards were observed. In that connection, penalties could be imposed for any non-observance.

110. Responding to other questions, he stated that trade unions were also responsible for informing management of any breach of the working regulations, that there were workers' councils in enterprises and that trade union officials served on the management board.

Concluding observations

111. Members of the Committee expressed their appreciation for the presentation of the report by the representative of the State party. It was, however, observed that the report emphasized the legal and institutional aspects of the implementation of the Covenant to the detriment of the factual aspects. It was evident that great efforts were being made to provide housing, for instance, but it would have been useful to have statistics in order to see what the actual purchasing power was and whether there had been an increase in income.

112. Noting that there appeared to have been a significant decrease in the standard of living and that these economic problems seemed to have led to demonstrations, some members wished to receive clarification concerning these matters.

113. In addition, further information was requested on the legal situation of minorities in Romania.

114. Regarding economic problems, the representative pointed out that his Government was making considerable efforts to provide its citizens with a reasonable standard of living, but it had inherited a backward and devastated country. Moreover, the world economic crisis had seriously curtailed Romania's exports, and, therefore, there had been a decrease in purchasing power and certain shortages of supplies. Nevertheless, the Romanians were optimistic about overcoming their difficulties and were continuing to promote development to which they were devoting 30 per cent of their resources. He also referred to recent incidents at Brasov and explained that workers of the factories had become dissatisfied with the management, which had subsequently been completely replaced. As there had also been local elections, a number of drunk citizens who had attacked private cars and broken windows had been arrested. However, on 24 January 1988, a complete amnesty had been granted to all those who had been sentenced to up to 10 years' imprisonment and other sentences had been halved.

115. Concerning the rights of minorities, the representative of the State party stated that the various minorities had the same rights and privileges as the Romanians. Nevertheless they had to face the same difficulties as their fellow citizens. Furthermore, the law provided penalties for persons guilty of discrimination.

116. He declared that he would request his Government to submit written comments on the questions he was unable to answer satisfactorily.

Denmark (arts. 10-12)

117. The Committee considered the second periodic report of Denmark on articles 10 to 12 of the Covenant (E/1986/4/Add.16) at its 8th and 9th meetings, on 11 and 12 February 1988 (E/C.12/1988/SR.8 and 9).

118. In his introduction of the report, the representative of the State party observed that the issues covered by the Covenant were of vital importance to Denmark, which was currently devoting more than 50 per cent of the national budget to social welfare, housing, labour and education. He compared the efforts made by his country in these sectors with security nets through which no one must be allowed to fall and he stated that, despite economic problems requiring a review of social welfare schemes, these nets were still being made tighter. He pointed out certain changes in the information provided by the report as a result of new legislation and administrative practice. Finally, while recognizing the usefulness of guidelines for the preparation of reports, he suggested that the Committee might want to consider formulating and providing a list of key questions prior to the relevant meetings so that States representatives could better elaborate on weak points in the reports.

General observations

119. Members of the Committee expressed both their appreciation for the excellent quality of the report and their congratulations to the Government for major achievements made in implementing Covenant provisions. Several achievements were singled out for particular praise, such as the virtual equality between nationals and non-nationals in the various fields under scrutiny. It was pointed out that the report highlighted the need for the Committee to use different yardsticks in assessing the efforts of countries with highly sophisticated social welfare systems and those of countries which had barely embarked on the process of providing social benefits.

120. Attention was drawn to article 17, paragraph 2 of the Covenant, which stipulates that reports "may indicate factors and difficulties affecting the degree of fulfilment of obligations" by a State party. Such a description of the difficulties encountered by Denmark, it was said, would have been of interest to the Committee. In this regard, referring to the economic problems mentioned by the representative in his introductory statement, it was asked how policies with respect to economic, social and cultural rights were being affected by the current climate of economic stringency. In reply, the representative of the State party confirmed that adverse economic trends had led to inevitable reductions in the social services sector, but he emphasized that these had been accomplished in such a manner that those most in need of assistance would not be affected. He also mentioned several examples of benefits which had actually increased in real terms over the last few years.

121. Taking into account the large number of social assistance allowances available, it was asked whether these had a negative side-effect in the sense of acting as a disincentive to people seeking employment. In response, the representative admitted that individual cases of abuse existed and that these would undoubtedly continue to occur, but his conclusion was, nevertheless, that the general trend and feeling among his compatriots underlined the opposite, namely that it was considered to be a privilege and an honour for people to work and earn their own living.

122. It was asked whether any difference existed between metropolitan Denmark on the one hand and the Faroe Islands on the other in respect of compliance with the Covenant. Noting that the report contained a special annex on the situation in Greenland while giving no information about the Faroe Islands, it was asked whether there were any problems specific to them. In this context, the suggestion was made that it would be a good idea to include Greenlandic and Faroese experts in the Danish delegation. In response to these remarks, the representative of the State party provided general information about conditions in and the autonomous powers of the two regions, including transfer of power over the issues under consideration to the respective self-governments. As to Greenland, the handing-over of the last remaining sectors - health and protection of the environment - were currently being negotiated between the central and home rule governments. Upon request, the representative of the State party undertook to submit supplementary material on the situation in the Faroe Islands prior to the submission of the next report by his Government.

123. Members of the Committee inquired about the extent to which the Danish public had been given an opportunity to participate in the preparation of the report and, if so, what form the participation had taken. The opinion was expressed that such

participation was important for keeping people informed of their rights and of the progress made in their implementation as well as to enable account to be taken of their views. It was also asked whether the Danish Government was considering wider publication of the report at home. In reply, the representative of the State party explained that the report had been prepared by the responsible Ministries, but he indicated willingness to consider the possibility of popular participation in that process. Furthermore, the representative said that, while the report had not been issued separately in Denmark, the information in question was certainly available to the public through national publications. He also provided information about human rights teaching and the newly established Danish Center of Human Rights.

124. The observer of the ILO informed the Committee about the ratification and application by Denmark of the relevant ILO conventions, including the ratification in January 1988 of the Working Environment (Air pollution, Noise and Vibration) Convention, 1977 (Convention No. 148).

Article 10: Protection of the family, mothers and children

125. Members of the Committee asked for clarification on several issues mentioned in the report concerning the subject-matter of article 10. In his reply to exactly the questions posed, the representative of the State party explained that maternity benefits were available irrespective of marital status and that no distinction was thus made between married and unmarried couples or single parents; that divorce rates, albeit high, had remained steady over the last 10 to 15 years; that joint custody over children by parents who were divorced or no longer lived together, although possible by law, was infrequently made use of; that there was no difference under the law between legitimate and illegitimate children; and that the competence to place children outside their home rested with locally elected social welfare committees, presided over in such cases by a local judge, which could act only if it was absolutely necessary for the welfare of the child in question. Furthermore, upon request, the representative provided percentages and other figures for those who enjoyed the services of day-care institutions for free or with reduced rates, for married and cohabiting couples, for juvenile delinquencies, and for the working and resting hours permitted for young persons.

126. With reference to questions relating to the information stating that the share of employed women in the 15 to 19 year-old age group was higher than that of men (E/1986/4/Add.16, para. 117), the representative assured the members of the Committee that there existed no differential treatment between the sexes in terms of educational or employment opportunities. He went on to explain that women were increasingly taking up positions in society which had traditionally been held by men and mentioned, in particular, the justice system and the industrial sector.

Article 11: Right to an adequate standard of living

127. The question was brought up whether, as the report contained virtually no information on the right to adequate food, the Danish Government was confident that there were no significant instances of malnutrition or whether this lack of information was part of the common assumption that such needs were automatically catered for in a developed country. In response, the representative of the State party stated unequivocally that no malnutrition existed in his country and he described the methods employed by the Government, through, *inter alia*, the schools and medical services, to guarantee this result.

128. Replying to questions relating specifically to the availability of housing and to the provision of housing allowances, the representative stated that, while shortages of rental housing might exist in some parts of the country, nobody needed to lack shelter and that the problem was actually one of distribution. He stated further, in connection with general comments about the status of aliens, that resident foreigners received the same kind of housing assistance as did nationals.

129. As to the provision of the Criminal Code which makes begging a criminal offence, the representative replied to questions by explaining that this was one of the oldest provisions of the Code, that it was no longer used in practice, and that the authorities were contemplating the total removal of the ban. He explained further, upon request by members of the Committee, the existing laws concerning prostitution and sexual harassment in the workplace.

Article 12: Right to physical and mental health

130. With reference to the problem of AIDS, it was asked how the Danish Government reconciled the urgent need to prevent the spread of the disease with the observance of civil rights. In this regard, the representative observed that the official emphasis was on prevention through information. As to patients already infected by the virus, he described the efforts undertaken by his Government which, while attempting to avoid the spread of the disease, respected the rights of those affected by relying on voluntary treatment, consent at all stages and anonymity.

131. With regard to health insurance, the representative stated in response to inquiries made about the status of aliens that foreigners residents in the country enjoyed in all respects the same coverage as citizens.

132. In their closing remarks, the representatives of the State party expressed their gratitude to members of the Committee for what they felt had been a good and useful dialogue and more than an examination of the report.

Concluding observations

133. In concluding consideration of the report, the Chairman and various members of the Committee thanked the representatives for an excellent report and for their constructive co-operation with the Committee, including their comprehensive answers to questions and comments. The Committee also noted the undertaking to provide supplementary information on the situation in the Faroe Islands.

Sweden (arts. 10-12)

134. The Committee considered the second periodic report of Sweden on articles 10 to 12 of the Covenant (E/1986/4/Add.13) at its 10th and 11th meetings, on 15 February 1988 (E/C.12/1988/SR.10 and 11).

135. In introducing his report, the representative of the State party provided information about the basic human rights concept underlying the Swedish Constitution as well as its legislation and administrative practices with respect to the relationship between the individual and the State. As to the framework for economic, social and cultural rights, the representative quoted from a constitutional provision which read as follows:

"It was incumbent upon the Government and the public authorities to ensure the protection of the economic and social rights of the individual and, in particular, to secure the right to work, to housing and to education and to promote social care and security as well as a favourable living environment.

The Government and the public authorities shall act with a view to making the ideas of democracy the guidelines in all sectors of society. The Government and the public authorities shall guarantee equal rights to men and women and shall protect the private life and family of individuals."

136. The representative observed that, under Swedish constitutional law, an international convention must be incorporated into domestic law by an Act of Parliament before it could be applied by the courts or other judicial authorities, either by a general law stating that a convention shall be applicable in Sweden, by transforming the substantive contents of a convention through new legislation or by adjustments to existing laws. He went on to explain that the International Covenant on Economic, Social and Cultural Rights had not been incorporated as such in Swedish law. Prior to ratification, however, pertinent Swedish legislation had been submitted to a careful review in order to ascertain to what extent it was in conformity with the Covenant. No major adjustments had then been deemed necessary. Subsequent to ratification, any proposals for new legislation falling within the area covered by the Covenant must likewise be submitted to a corresponding review before their adoption as law in order to guarantee compatibility. The representative pointed out that this system provided a practical method of ensuring that conflicts between the instruments would not arise and that the authorities and the courts would not run the risk of overlooking any conventional rights.

137. Furthermore, in his introductory statement, the representative provided detailed additional information on several aspects of the report, including changes in legislation which have occurred since the submission of the report in October 1986. This information touched upon, *inter alia*, the parental insurance system and its benefits, child maintenance allowances, housing allowances to parents with many children, occupational health services, cohabiting couples, cohabiting homosexual couples, *in vitro* fertilization, municipal responsibilities for the satisfactory supply of dwellings, and restrictions on the use of asbestos.

General observations

138. Members of the Committee expressed their appreciation to the Government of Sweden for an exemplary report and for the accomplishments made in compliance with the Covenant. One member of the Committee said that the amount of assistance provided to the disadvantaged in society was a good measurement of civilization and that Sweden should get very high marks on this kind of test. References were made to United Nations statistics and impressive figures relating to Swedish outlays in the social and health sectors as compared with the country's GNP.

139. With reference to article 17, paragraph 2, of the Covenant, it was asked whether Sweden had encountered any difficulties in the implementation of its provisions, for example in financing extensive unemployment and social security schemes. Furthermore, did such benefits and other available services create a disincentive for workers to find employment, especially when taking into account the high rates of taxation? In responding to these remarks, the representative observed that there was currently no particular problem in funding the system because of favourable factors such as low unemployment, the age composition of the

population and the general economic situation. He noted, however, that the priorities of the social security system would have to be reviewed when the percentage of the aged increased rapidly at the beginning of the next century. As to the disincentive question, the representative pointed out that the welfare system was geared towards facilitating participation in the workforce by providing day-care facilities, protection in cases of illness or pregnancies, and training and education and he believed that the system was functioning well in this regard. In any case, no social benefits which only guaranteed a minimum standard of living could ever replace a regular income from a regular job.

140. In this context also, now that the material and physical aspects of Swedish society were so well taken care of, one member of the Committee wanted to know about the moral and spiritual aspirations of the population. Were the people satisfied? What were their future goals? On these points, the representative did not consider himself qualified to speak on behalf of the population. There were naturally always people who wanted to pay less in taxes without seeing reductions in benefits, but they as well as other citizens could express their opinions through political debate and the ballot box.

141. The comment was made that the report contained practically no information about the rights of foreigners, including both immigrants and refugees, and clarification was sought about their legal status. In his response, the representative of the State party explained that about 10 per cent of the Swedish population was either of foreign origin or had at least one parent of foreign origin and, although many of them had acquired Swedish nationality, they still constituted, in cultural terms, members of a minority group. As far as social, educational and health services were concerned, there was no difference in treatment between nationals and resident foreigners. In addition, it was the duty of the authorities to adapt the educational and medical services to the special needs of foreigners, in particular with regard to the teaching and use of their own languages. Currently, he said, there were about 100 such languages being taught in the pre-school system. Equal treatment was also true for the social security legislation with certain minor exceptions, but difficulties in that respect were generally overcome by bilateral or multilateral social security agreements. Refugees were also being treated on the same footing as nationals although difficulties could arise in connection with work permits in the period before it was established that a person was a refugee.

142. Concerning questions asked about popular participation in the preparation of the report, the representative pointed out that, before legislation was proposed in Sweden, there were extensive consultations with various organizations, such as labour unions and universities, and that non-governmental views were thus at least indirectly reflected in the report.

143. The observer of the International Labour Office informed the Committee about relevant references to Sweden in ILO reports and other documents.

Article 10: Protection of the family, mothers and children

144. With respect to the concept of the family and new family legislation, the representative of the State party stated, in exact response to requests for clarification in general and on certain points in particular, by observing that Swedish legislation contained no general definition of the term family. The most common form was certainly a married couple with children, but a family might also

consist of a cohabiting couple with or without children. The children could belong together to either the man or the woman. Sweden had tried to adapt its legislation to new situations, mainly in the interest of children, but that did not mean trying to encourage one way of living rather than another. Furthermore, the representative observed that the rate of divorces and separations among both married and unmarried couples, respectively, remained rather high.

145. Likewise, with respect to questions raised by members of the Committee about the rights of children and Swedish attitudes to children, the representative said that it was his country's policy to make it possible, by means of financial and other assistance, for couples to have as many children as they wanted, but this did not mean the establishment of a target for an increased birth rate. With regard to questions about artificial insemination, in vitro fertilization and surrogate motherhood, he confirmed that, despite considerable attention, and recent efforts, legislation had lagged behind technological innovation. Concerning an inquiry about the supposedly high percentage of disabled children, the representative did not believe that the number was higher in Sweden than elsewhere; the reason was more likely to be linked with substantial efforts by the authorities to identify these children and their parents in order to provide them with the relevant services and benefits to which they were entitled.

146. Responding to questions about unemployed youth and the availability of unemployment insurance, the representative stated that, while it was true that under Swedish legislation a person had to have worked for a certain period before qualifying for unemployment benefits, young persons could alternatively receive training, employment in special programmes or other forms of social assistance.

Article 11: Right to an adequate standard of living

147. In connection with inquiries about the right to food, about which information was said to be lacking in the report, the representative explained that, in matters relating to food and nutrition, it was the duty of counties and the Central Health Board to make sure that the population had an adequate diet. That task was seen mainly as providing information and education about correct diets. The representative stated that there was no problem of food supplies in Sweden. Responding to a question about Swedish involvement in international co-operation as prescribed by article 11, paragraph 1, the representative also described his country's active participation in and co-operation with WHO, FAO and WFP in their food and nutrition activities.

148. In response to a question about the rights of tenants and about the protection of their rights, the representative referred to specific legislative acts covering the relationship between tenants and property owners, including rent scales which were subject to regulation and thus not decided solely by market forces.

149. It was also asked what the Government was doing about the right to work, which was the primary means of establishing and maintaining an adequate standard of living. How was this right guaranteed in practice? In his response, the representative stated that this right, although not enshrined as such in the labour laws, was nevertheless safeguarded by legislation and by his country's social and economic policy, which had the primary objective to provide work to the entire population. A great many resources, he said, were devoted to this purpose.

Article 12: Right to physical and mental health

150. Replying to requests for additional information on hazardous work conditions, the representative stated that it was not the ombudsman but a worker so chosen who had the responsibility for stopping work, under the Works Environment Act, if he considered that a dangerous situation had arisen. With regard to inquiries about official programmes undertaken in connection with AIDS and about the reconciliation of these programmes with the human rights of the patients, the representative explained that this disease constituted a major public health concern about which the Government was still formulating its policy. Emphasis had been placed on disseminating information to the general public as well as to high-risk groups and on voluntary testing, while keeping civil rights considerations in mind.

Concluding observations

151. The Government of Sweden was commended on the excellent quality of the report and appreciation was expressed to the high-level Swedish delegation for their valuable information and co-operation in the dialogue which had been established between the parties. Mention was also made of the possibility that the State party could avail itself of the opportunity to provide supplementary information to the Committee in writing, if it wished to do so.

Byelorussian Soviet Socialist Republic (arts. 10-12)

152. The second periodic report of the Byelorussian Soviet Socialist Republic, concerning the rights covered by articles 10 to 12 of the Covenant (E/1986/4/Add.19), was considered by the Committee at its 10th to 12th meetings, held on 15 and 16 February 1988 (E/C.12/1988/SR.10-12).

153. The representative of the State party introduced the report. He provided additional information and brought the Committee up to date on laws passed since the submission of the report. Among other things, he stated that over the years 1986-1987 industrial output had increased by 14 per cent and agricultural output by 13.8 per cent. Allowances and benefits from social consumption funds had risen by 10.6 per cent. Workers' average wages had increased by 8.2 per cent and collective-farm workers' earnings by 14.3 per cent. A law had been promulgated on 1 May 1987 to promote individual labour activity. Co-operative activities had been encouraged in various sectors of production, trade and services. In 1987, 500 co-operatives had been set up.

154. The representative also stated that his Government was trying to step up the rate of housing construction, the aim being a flat for every family by the year 2000. In 1986 and 1987, 200,000 families had been able to move into new flats.

155. On the progress made in implementing the rights covered by article 12 of the Covenant, he said that in 1986-1987 there had been pay rises in medicine and teaching. The demographic indices had improved, with the birth rate rising and the death rate falling. He gave the relevant figures. Members of the Committee were informed that in January 1988 new legislation had been adopted on psychiatric care, providing for greater social and legal safeguards in the provision of such care.

156. In conclusion, the representative of the State party, noting the difficulties encountered in implementing the rights in articles 10 to 12 of the Covenant, said that in the Byelorussian SSR the public authorities and social organizations had in

recent years redoubled their efforts to ensure that the principles of social justice were respected more effectively and that greater benefit was derived from the humanist principles underlying the socialist socio-political system. It was in that spirit that perestroika, or restructuring, was being carried out in all fields in the Byelorussian SSR.

General observations

157. The Committee expressed its appreciation to the Government of the Byelorussian Soviet Socialist Republic for its report and to the representative for his oral statement containing additional information. Members of the Committee noted the substantial progress made since the submission of the initial report (E/1980/6/Add.18) and, particularly over the past two years, in implementing the rights in question. It was observed, however, that the report contained very few meaningful statistics which would have enabled an evaluation to be made of the status of economic and social rights as opposed to the general economic situation.

158. With reference to perestroika in the Byelorussian SSR, members of the Committee expressed a desire for more information on the way it affected citizens' economic and social rights and the measures that ought to be taken in order to ensure that those rights were respected when society was undergoing a radical change. How could an individual who considered himself economically and socially injured by the State assert his rights, what remedies were available to him and what body could he appeal to? What were the practical results of the first years of perestroika and what sectors of the economy had benefited most?

159. Questions were asked about the rights of aliens in general and of political refugees and stateless persons in particular, whether they enjoyed the same social advantages as citizens and whether women's pay was equal to men's.

160. Noting that the Byelorussian SSR was anxious to protect its citizens' economic, social and cultural rights, members of the Committee observed that the report did not contain enough information on the difficulties encountered by the Government in ensuring that those rights were respected. They expressed a desire to have more statistics for purposes of comparison.

161. The representative of the State party, replying to the questions of a general nature, gave further information on the various aspects of perestroika in his country and stated among other things that it had so far had two major effects, namely, the adoption of the law on State enterprises and the emergence of a powerful current of opinion in favour of reform.

162. As regards the right of every individual to take part in decision-making, it was exercised at work through the trade unions and at the national level through the election of deputies to local Soviets and to the Supreme Soviet. In June 1987, 33,000 deputies in local Soviets had been workers and 23,000 collective-farm workers.

163. In State enterprises, the staff had to be involved by law in decisions on important questions. Thus in the first half of 1987, 200 heads of enterprises and 2,000 supervisory staff had been elected by the staff. The trade unions ensured that agreements reached with the management were complied with, particularly as regards safety and health in the work place. Finally, individual rights were protected by the Public Procurator's Office. In addition, under a law that had

come into force on 1 January 1988, any individual who considered that his rights had been violated, that his superiors had abused their authority or that he had been wrongfully dismissed could take the matter to court. In addition, the people were fully informed of all measures taken to ensure openness and the democratic nature of the country's institutions.

164. Replying to the question concerning the application of the twelfth five-year plan, the representative of the State party gave additional information. The Committee was provided with figures showing the difficulties encountered in carrying out the plan.

165. On the status of aliens, it was stated that under article 31 of the Constitution of the Byelorussian Soviet Socialist Republic, aliens resident in the country enjoyed the same rights as citizens with regard to education, health, the family, work, retirement and all economic, social and cultural rights. They could also appeal to the courts if they considered that their rights had been violated. In addition, the Family and Labour Codes specified that in situations not covered by the Byelorussian SSR's domestic legislation, the applicable law was that of the international instruments to which it was a party.

166. As regards the question on the equality of the sexes, the representative of the State party quoted figures to show that equality between men and women was ensured by the relevant legislation and by the whole system of socio-economic guarantees.

Article 10: Protection of the family, mothers and children

167. Members of the Committee asked for details on part-paid leave for mothers to look after their children, on the possible introduction of paternity leave when the mother was alive, thus allowing for the possibility of a choice between the parents, and on the existence of free unions in the Byelorussian SSR. With reference to the legislation on marriage and the family, the main aim of which was complete protection of the interests of mothers and children, it was asked why the interests of the father had not been mentioned. Further information was requested on the decision by the Council of Ministers of the Byelorussian SSR of 7 December 1982 concerning marital and family relations.

168. In answer to the questions asked, the representative of the State party, citing the provisions of the law on the subject, gave detailed replies, saying among other things that part-paid leave meant that for one year a mother could obtain a benefit amounting to 35 roubles per month. The 14 days' leave to look after a sick child could be taken by the father or the mother, but it was traditionally the mother who took it. He stated that a single father enjoyed the same benefits as a single mother. On the question of free unions, he said that the idea did not exist in the Byelorussian SSR and that co-habitation had no legal consequences if there were no children.

169. With regard to family allowances, members of the Committee were informed that, from the third child onwards, families received a monthly allowance. Large families enjoyed certain social advantages and poorer families got an allowance of about 12 roubles per month per child. Single mothers who received no maintenance from the father of their children were entitled to government aid of 20 roubles per month per child under the age of 16.

Article 11: Right to an adequate standard of living

170. It was noted that income distribution was relatively equitable in the Byelorussian SSR, but that new types of problems were arising at present, and in particular the problem of reconciling incentives for productivity and hard work with benefits from social consumption funds, which were meant to satisfy needs and not to reward work. Concerning the reference in the report to subsidies paid for children's clothing, it was said that this action by the State, although praiseworthy in itself, was liable to create distortions in the economy and that it would be more rational to pay allowances to families with children than to give enterprises subsidies. More information was requested on the subject.

171. Details were requested on the arrangements in the Byelorussian SSR for determining pay levels, whether for State employees, independent workers or collective-farm workers. With reference to article 23 of the Constitution of the Byelorussian SSR, which says that the State follows a consistent policy of raising the level of pay for work and workers' real incomes, it was asked what happened if labour productivity did not increase and if it declined by any amount.

172. It was also asked what criteria were used to determine pay differentials, whether within one and the same enterprise or between different sectors of the economy.

173. On the question of housing, it was asked by what means the construction of private housing was encouraged, what the level of rents was and what measures had been taken on tenants' rights since the submission of the initial report.

174. In answer to the questions asked, the representative of the State party said that as far as the balance between workers' pay and family benefits paid out of social consumption funds was concerned, there were both negative and positive aspects to the problem, which he described. He said that the Government was aware of the problems, and that one of the aims of perestroika was to find solutions to all of them. With regard to subsidies for children's clothing, he said that the only other option would be to raise wages, but that for historical reasons the Byelorussian SSR had chosen to grant subsidies.

175. On the question of pay, he stated that workers' wage levels were determined by government bodies after consulting the trade unions and that in fixing wage levels various factors were taken into account, such as, for example, the cost of living, the field of activity, the qualifications and the working conditions. A distinction should be made, he said, between the basic salary and various bonuses, which could amount to 30 to 50 per cent of the wage. If productivity declined, the bonuses went down, but the base salary remained unchanged. As far as collective-farm workers were concerned, their income depended on the income of the collective farm in question; the criteria for determining wage differentials in agriculture were roughly the same as in industry.

176. On housing, he said that the national norm was 12 m² of living space per inhabitant and that the average in the Byelorussian SSR was 16.9 m². That did not mean, he stressed, that the living space was evenly distributed: at the beginning of 1988, 600,000 persons had been seeking better housing.

Article 12: Right to physical and mental health

177. Having noted the progress made by the Byelorussian SSR since its initial report, particularly in the last few years, members of the Committee asked for more information on measures taken to reduce the rate of infant mortality, the action taken against smoking and alcoholism, medical services in rural areas and the results achieved.

178. With reference to new laws on psychiatric care, members of the Committee asked for more information, in particular on how they protected individual rights and freedoms and what measures were being taken to ensure that the new legislation was applied and to combat psychiatric illness. Information was also sought as to the nature of the problems which had given rise to the need for the new law governing psychiatric institutions. Particulars were requested on the number of psychiatric hospitals. It was also asked whether any cases of AIDS had been recorded in the Byelorussian SSR and how the disease was approached from the human rights standpoint.

179. In answer to the questions asked by members of the Committee, the representative of the State party said that the birth rate in the Byelorussian SSR was 16.1 per thousand and the death rate 9.7 per thousand. He told the Committee that in the Byelorussian SSR there were 39 doctors per 10,000 inhabitants and that the level of medical care was lower in the country than in the town.

180. With regard to environmental protection and health, he informed the Committee about steps taken to curb smoking and to combat alcoholism and about the results achieved. He stated that the powers of the State committee responsible for environmental protection had been considerably widened at the beginning of 1988.

181. In reply to the various questions asked by members of the Committee about psychiatric hospitals, he gave the Committee information requested, in particular on the legal and social safeguards contained in the recent legislation. For example, a doctor who caused a patient to be taken into hospital against his will would be liable to up to two years' imprisonment. He stated that in the six hospitals in the six regions (each serving a territory of over 30,000 km² and a population of up to 2 million), only one complaint had been reported in January 1988, the patient having contested the psychiatrist's decision.

182. With regard to the question on AIDS, he cited figures from the Ministry of Health, stating that by the end of 1987, six cases of AIDS had been reported, five of the persons concerned being foreigners and the sixth having contracted the disease abroad, and that appropriate legislation was being prepared on the subject.

Concluding observations

183. Members of the Committee thanked the representative of the State party for his excellent presentation. Some members noted that the report contained very few references to difficulties which had been encountered, as required by the Covenant, and the view was expressed that a supplementary report should be submitted. Other members expressed their strong satisfaction with the report and with the manner of its presentation.

Chile (arts. 10-12 and 13-15)

184. The Committee considered the second periodic report by Chile concerning the rights covered by articles 10 to 12 of the Covenant (E/1986/4/Add.18) and the initial report concerning the rights covered by articles 13 to 15 of the Covenant (E/1982/3/Add.40) at its 12th, 13th and 16th meetings, held on 16 and 18 February 1988 (E/C.12/1988/SR.12, 13 and 16).

185. In introducing these reports, the representative of the State party emphasized the importance the Chilean Government attached to the Covenant. He wished to place the exercise of economic, social and cultural rights in an overall context and, to that end, described the general economic situation in his country. After pointing out that Chile's economy faced the same problems as did the developing countries as a whole, the representative none the less said that, since the recession in the years 1982-1983, the annual average rate of growth had been 5 per cent. This improvement has led to a reduction in unemployment to an average rate of slightly less than 8 per cent, stabilization of inflation, which has remained at approximately 20 per cent per annum for the past five years, a decline in the deficit in the non-financial public sector and a continued high rate of public investment.

186. As to the problem of the external debt, the representative said that his Government was striving to bring about equilibrium in the balance of payments and to develop exports other than copper. He none the less pointed out that there was an urgent need to find ways and means to lighten the debt burden, which placed strains on the efforts of the developing countries.

187. Pointing out that there might be a gap between the situation as revealed in the reports and the current situation in Chile, because the reports had been drawn up some time ago, the representative supplied the members of the Committee with statistical annexes to the reports.

Article 10: Protection of the family, mothers and children

188. Members of the Committee wished to know what protection was provided to children and young persons and, in particular, they requested additional information on abandoned children, on the selling of children abroad and on child prostitution. Referring to allegations of frequent arrest and torture of young children, some members asked what the present situation in Chile was in that respect.

189. In addition, members of the Committee wished to know what the concept of the family unit was in Chile, what the birth rate was, what the requirements for marriage were and, for example, whether marriage between people of the same sex was allowed, whether a pre-marital medical examination was compulsory, whether divorce was legal and on what grounds, whether a woman was prevented from remarrying for a particular period after the death of her husband, whether assistance was granted to large families and whether there were any family planning centres. Referring to the protection of women against harmful types of work, it was asked whether this protection was extended after childbirth. The position of Chile was also requested with regard to some ILO conventions regarding maternity protection. In connection with the equality of the sexes, it was also asked whether the woman alone was prevented from contracting marriage with a guilty partner in the offence of adultery, on what grounds married women were prevented from carrying out certain

commercial operations and what the rate of unemployment was among women. Clarification was also requested on some aspects of maternity leave mentioned in the report (E/1986/4/Add.18, para. 22).

190. With reference to protection of the family, some members of the Committee observed that efforts should first be made to ensure that families were not separated and they inquired about the fate of Chileans who had been compelled to leave their country and were unable to return. It was also asked whether assistance was provided to the families of dead or disappeared persons.

191. In reply to these questions, the representative of the State party explained that the basic family unit in Chile was made up of the parents, or, failing parents, the ascendants, and of the children. Marriage between persons of the same sex was prohibited, divorce existed only in the legal form of separation, and the provisions concerning adultery, whereby the penalties were less severe for the husband, were very rarely applied in practice. The representative also said that, in his country, there was no discrimination based on sex. With respect to the protection of children, he explained that persons under 21 years of age required parental authorization to travel abroad or to acquire immovable property. The selling of children and child prostitution were serious offences and severely penalized by the courts.

192. In connection with separated families, the representative said that the problem was being solved and that cases still outstanding should be settled in 1988.

Article 11: Right to an adequate standard of living

193. Members of the Committee referred to the overall economic situation as described by the representative and recognized that the world recession made notable progress in economic, social and cultural rights very difficult. Nevertheless, it was observed that, according to World Bank statistics, defence spending had risen considerably between 1972 and 1985, whereas expenditure on education, health and economic services had been substantially reduced. Other statistics showed that the income disparity in Chile was among the most extreme in the world. Some members expressed doubts about the information communicated in the Government's report and spoke more particularly of their concern about the amount of unemployment and underemployment and about the deterioration in the standard of living.

194. Members also wanted details about the breakdown of the budget in terms of the various items, particularly health, education, culture, the army and the police. It was asked whether the gap between the rich and the poor was narrower or wider, what the minimum legal wage was, in what way the national income was distributed and what the position was in Chile regarding extreme poverty and the thresholds which had been determined in that field.

195. In reply to the various questions raised, the representative of Chile explained that his Government set store on achieving the common good. In that regard, he emphasized the amount of expenditure on social development and supplied various statistics. In particular, he pointed out that extreme poverty had declined markedly since 1970, despite the economic crisis. All indicators pointed to the steady improvement in the population's standard of living. With reference to the distribution of incomes, the representative emphasized that in Santiago, in 1979, 20 per cent of the population accounted for 3.94 per cent of incomes, whereas

10 per cent accounted for 42.09 per cent. Although negative, those figures bore witness to the similarities between the situation in Chile and most developing countries. Lastly, the rate of unemployment had not been more than 8.4 per cent in 1987.

196. After mentioning that there was very lively trade union activity in his country, the representative recalled that Chile had ratified more than 40 ILO labour conventions. In addition, he drew the Committee's attention to the fact that the competent bodies of ILO had recently reported progress in the labour situation in Chile.

197. Referring to questions about housing, the representative said that major efforts were being undertaken by his Government to ensure access to housing for the whole of the population. In that connection, the percentage of owner-occupied housing had risen from 54.1 per cent in 1970 to 63.2 per cent in 1982. The problem of housing the most disadvantaged fringes of the population arose in all large cities. In Chile, it had been caused by the migration from the countryside to the capital after the agrarian reform in 1970. Nevertheless, measures were being taken to help them, such as the granting of title deeds together with mortgage loans.

Article 12: Right to physical and mental health

198. Members of the Committee asked to what extent health care was accessible to the population as a whole, what efforts the Government was making in regard to health and hygiene at work, what the situation was in regard to stillbirths and infant mortality, what criteria the Government had used to establish that in health matters Chile was in a transitional phase between underdevelopment and development (E/1986/4/Add.18, para. 112), and what had been the findings of a WHO survey conducted in Chile. Noting that the Government had taken certain measures to improve health services, some members observed that the trend towards privatization in this sector seemed to have made health services too costly for a part of the population.

199. In reply to these questions, the representative furnished various statistics and said, for example, that the rate of infant undernourishment had fallen from 15.5 per cent in 1975 to 9.1 per cent in 1986. These encouraging results had been obtained thanks to a government programme for children under six years of age and for pregnant women. Regular health check-ups were carried out and dairy products were distributed free of charge. The programme as a whole covered 1.2 million minors, and one of the most positive results had been the substantial decline in the infant mortality rate.

200. Lastly, the representative explained that the Government's essential aim in regard to health services was to enable the most impoverished persons to benefit from them.

Articles 13 and 14: Right to education

201. Members of the Committee wished to know what the literacy rates were, whether the general population had access to the three levels of education, why the Government was subsidizing private schools rather than encouraging State schools, to what extent education was provided free of charge in both the public and private sectors, whether everyone had access to university and what assistance was provided for this purpose. It was also asked whether it was true, as stated in the written

statement submitted to the Commission on Human Rights at its forty-fourth session by the Defense for Children International Movement, 3/ that 800,000 children between the ages of 6 and 18 were not enrolled in any school. Referring to the initial report on articles 13 to 15 of the Covenant, which stated that one of the objectives of primary education was the teaching of Christian values (E/1982/3/Add.40, para. 6), some members requested clarification on the separation of Church and State. They also wished to have information on technical, vocational and fundamental education, and on the social rehabilitation of prisoners.

202. Information was requested on the alleged recent appointment by the President of the Republic of military officers as rectors of universities, on the demonstrations that had followed in this regard and on the dismissal of the high number of teachers following their participation in public demonstrations.

203. Replying to the various questions raised, the representative said that the Chilean school system was divided into three stages. The initial pre-elementary stage was for children under six years of age, and special attention given to the poorest. The second stage, for children from 6 to 14 years of age, was compulsory and in 1986 had effectively covered 94.4 per cent of all children. The third stage, for secondary education, lasted four to five years and covered 680,000 young people who were, for the most part, enrolled in establishments in receipt of Government subsidies. University education was available in 23 universities, of which only nine were private. To foster such education, a development plan had been announced by the President of the Republic on 9 February 1988.

204. The representative also said that special efforts were being made in regard to vocational-type technical training. In addition, illiteracy had fallen in 14 years by almost 50 per cent. To promote access to university, students were given grants as well as loans.

205. With regard to university rectors, he explained that only two rectors who were military officers remained. In addition, following university disturbances, a new rector had been appointed at the University of Santiago.

Article 15: Right to take part in cultural life and to enjoy the benefits of scientific progress and the protection of the interests of the authors

206. It was observed that virtually the only information provided on the right to take part in cultural life was a statement in the report that the issue was dealt with by the Directorate of Libraries, Archives and Museums (E/1982/3/Add.40, para. 144). Members of the Committee asked how the population could enjoy their cultural life and benefit from technical and scientific progress, given the extent of existing repression in Chile, whether the Mapuche Indians had the right to express themselves in their own language and enjoy their own culture and whether the inhabitants of Easter Island were subject to any special legal régime. Information was also requested on problems that writers, actors and other persons had experienced in their activities, such as censorship, harassment and arrests.

207. In reply to the questions regarding the Mapuche Indians, the representative of the State party said that a plan had been introduced to promote integration of the indigenous minorities, while preserving their particular characteristics.

Concluding observations

208. Some of the members of the Committee expressed their thanks to the representative of the State party for his oral presentation and the additional information he had communicated to them.

209. Firstly, members wished to obtain information on the way in which the reports had been drafted. They wanted to know to what extent the population had been associated with their preparation and whether the population would be informed of the current debate. In that connection, it was regretted that the Covenant, although ratified by the Chilean Government, had not yet been published in the Official Gazette. This fact has led Chile's Supreme Court to refuse to apply the Covenant and regard it as binding, and members of the Committee therefore asked when the Government would proceed to publish the Covenant, something which could alone give it legal internal standing, and whether individuals could none the less avail themselves of the Covenant before the domestic courts.

210. Secondly, members noted that the reports did not discuss the country's difficulties and did not supply the quantified data and statistics that would have afforded a proper grasp of the real situation. Noting, however, that the representative had supplied additional quantified data, some members considered that the statistics supplied seemed partial and biased.

211. Recalling that economic, social and cultural rights were inseparable from civil and political rights, they also said that the overall human rights situation in Chile was at the present time broadly unsatisfactory. In that connection, they referred more particularly to the large number of deaths from acts of violence.

212. Reference was made to the fact that, in 1985, the Human Rights Committee had concluded its consideration of a report by Chile by observing that important questions had remained unanswered and that no explanation or justification had been provided with respect to human rights violations in that country. Nevertheless, the Chilean Government had informed the General Assembly in 1987 4/ that no objections had been raised to Chile's report. The hope was expressed that the results of the examination of Chile's reports by the Committee on Economic, Social and Cultural Rights would not be similarly distorted or misrepresented.

213. Lastly, members of the Committee had hoped that the Chilean Government would supply additional information in the shape of further reports which answered the various concerns expressed and reflected the real situation in Chile, so that it would be possible to engage in effective dialogue between the Committee and the Chilean Government.

214. In reply to the various questions raised, the representative of the State party said that Chile faithfully applied the provisions of the Covenant and scrupulously respected the obligations stemming therefrom. He explained that there was very broad freedom of expression in his country and that the Covenant had been very widely circulated. For example, courses in public international law in law faculties included examination of the Covenant; moreover, a human rights manual had been published.

215. The new Constitution of 1980 provided for a transitional period in which various human rights set forth in the Covenants were to be gradually implemented in legislation. Moreover, at the end of that period, in 1988, the Covenants were to

be published, something which was a mere administrative formality, and individuals would be able to invoke them before the domestic courts.

216. As to the large number of deaths from acts of violence, the representative pointed out that it was the duty of all Governments to defend themselves against terrorism.

217. Lastly, the representative undertook to transmit to the Committee all the additional information which had been requested.

218. On completion of the consideration of the reports, the Chairman thanked the representative of Chile for his co-operation and expressed the hope that the Committee would promptly receive the requested additional information in view of the inadequacy of the report.

Norway (arts. 10-12)

219. The Committee considered the second periodic report of Norway on articles 10 to 12 of the Covenant (E/1986/4/Add.21) at its 14th and 15th meetings, on 17 February 1988 (E/C.12/1988/SR.14 and 15).

220. In his statement introducing the report, the representative of the State party provided general information about his country, including geography, population, levels of administration, and breakdown of employment figures. In 1988, 37.2 per cent of the total State budget had been reserved for health and social affairs. This amounted to almost 20 per cent of Norway's GNP. The trend was to give as much power as possible to local communities and the central government was increasingly transferring funds to them without earmarking so as to open the possibility of different priority setting in the various parts of the country.

221. The representative noted that increasing demands were being made on the welfare system and that the resources were still insufficient to meet all the requirements. Adverse economic conditions, rising expectations and demographic developments, such as the foreseen increase in old people, all contributed to an increasing strain on the system. Despite economic difficulties it had so far been possible to protect the main features of the welfare State by giving health and social services high priority in public budgets. In order to meet future challenges in this field, the Government had established a strategic policy which the representative described as follows:

The continued extension of health services, particularly care for the elderly, in order to secure social security and services and equal quality for all; aiming public support systems more towards those groups and individuals in greatest need of assistance; implementing organizational reforms to achieve more efficient use of resources; and mobilizing the individual, the neighbourhood, and voluntary and private resources to supplement the efforts of the public authorities.

The representative pointed out that this strategy had been put into a global context in the report published by the World Commission on Environment and Development under the leadership of the Norwegian Prime Minister.

222. The representative went on to explain that, although the Government had an overall responsibility for welfare policies, it recognized the importance of strengthening social communion and the feeling of responsibility for others through private activities. These were based on the family, the neighbourhood, voluntary organizations and the educational system.

223. Finally, the representative referred to rapid developments within the sectors described in the report and mentioned that he had for this reason submitted to the secretariat new materials intended for updating of the report.

General observations

224. Members of the Committee expressed their appreciation and gratitude for an excellent report and for the comprehensive introduction by the State representative. They also stated their satisfaction with the achievements made by Norway in the field under consideration and with the progress made since the submission of the initial report (E/1980/6/Add.5). Concerning remarks to the effect that the report provided much detail on some subjects and not enough on others, the representative explained that the current report had been prepared by various Ministries and that it should also be read in conjunction with the initial report and comments thereon.

225. As to the question whether the rights laid down in articles 10 to 12 of the Covenant were justiciable in Norway, the representative stated that domestic law was more specific than the Covenant provisions which therefore had never been invoked before the courts.

226. There was appreciation expressed for the exhaustive listing in the report of measures taken to promote international co-operation. With regard to a question about the obligation of States to undertake such co-operation for the promotion of economic and social rights, the representative replied to the effect that, in addition to the stipulations of the Covenant, there were other good reasons for carrying out development assistance; he mentioned, in particular, international solidarity and mutual learning through the interchange of ideas and experience.

227. Members of the Committee welcomed the observations made in the introductory statement about difficulties experienced by Norway in the implementation of the Covenant (art. 17, para. 2). Elaborating further on this theme, the representative pointed out that offshore oil discoveries and exploitation had brought about major changes in Norwegian society. An attempt was being made not to become too dependent on these resources by promoting the development of other economic activities, but there were also signs of positive results such as the introduction of foreign cultures into an often isolated country.

228. Responding to questions about the equality of men and women with regard to the various Covenant provisions, the representative stated that the equal footing of both sexes was a basic principle applicable in all fields. Special legal and financial measures had been taken to enhance this equality and their implementation was subject to constant scrutiny by all Ministries. He also provided in this light statistics about the labour force in Norway which demonstrated strong growth in women's participation.

229. Several comments and observations were made by members of the Committee in connection with the rights of disadvantaged groups under articles 10 to 12 of the

Covenant. Particular attention was focused in this respect on foreigners, including refugees, and the Sami population; and about the protection of their rights. In this context, the representative observed that the social security and health systems covered all individual residents living in any part of the country, irrespective of their nationality. There was a policy of integration rather than assimilation for immigrants and refugees and they were obliged to learn the Norwegian language, but they certainly enjoyed the rights under articles 10 to 12. The same was true for the Sami population. He explained that his country, in its economic and social planning, took into account the need for preservation of Sami culture which depended on their traditional economic activities, such as reindeer herding. Legislation was now being prepared for the establishment of a Sami Assembly which would represent their interests; the representative promised the inclusion of additional information on these developments in the next report.

230. In response to inquiries about popular, non-governmental participation in the preparation of the report, the representative explained that it was based on contributions made by the responsible Ministries to the Ministry of Foreign Affairs which was responsible for the text as a whole. Prior to submission of the report to the United Nations, it had been thoroughly discussed by a National Human Rights Committee, established by the Ministry of Foreign Affairs and composed of representatives from the various Ministries, voluntary organizations and the Norwegian Institute for Human Rights.

Article 10: Protection of the family, mothers and children

231. Several general comments and requests for clarification on specific issues were made during the debate. These related to, in particular, the definition of the family, marriage laws and other forms of living together. In responding to these remarks, the representative of the State party explained, inter alia, the family concept in Norway which nowadays referred most of the time to the nuclear family while the phenomenon of the extended family was being seen less and less frequently. He provided the Committee with statistics about marriages, divorces and separations, as well as cohabitation, and gave the results of a recent public opinion poll on Norwegian attitudes towards the various lifestyles. Also, upon request, he described the laws relating to the authority of officials of various churches and religions to conduct marriage ceremonies, with the main requirement being free consent and the presence of both partners.

232. Responding to requests for additional information about the ombudsman for children and about the powers of that office, the representative described in detail the competence and functions of this office which had dealt with complaints concerning, inter alia, child abuse, physical conditions of children, child care, schools and family circumstances. He stated that written materials on the ombudsman had been handed over to the secretariat for the use of Committee members.

Article 11: Right to an adequate standard of living

233. Members of the Committee asked a series of questions concerning the Norwegian labour market, including the levels of employment and unemployment, imbalances in the market and available benefits. By way of reply, the representative described in broad terms, with the appropriate statistics, the frequency, duration and distribution of unemployment in Norway and the benefits and training programmes available to those affected. He explained that there was no system of minimum wages; this was left for the parties in the labour market to negotiate, but the

Government could step in and discuss certain principles of economic policy with the parties if such an intervention was deemed to be in the national interest - for example, in order to avoid labour unrest or overheating of the economy; it was in this context that the subsidies to the fisheries sector should be seen. The representative also elaborated on the issue of aging and retirement benefits which he said were of priority concern to his Government.

234. The remark was made that the section in the report on the right to food (E/1986/4/Add.21, para. 15) was not entirely adequate inasmuch as it neither confirmed that there were no significant incidences of hunger or malnutrition in Norway nor indicated whether there was a regular monitoring system of the situation. In response, the representative related the history and current activities of his Government in this field, including health stations for mothers and for children and controls concerning unhealthy diets.

235. In response to questions about housing, in particular about any shortages in that area and about the rights of tenants, the representative described the general situation in his country and the Government's reaction to problems which had arisen, including those of protection afforded to tenants in the form of rent controls.

Article 12: Right to physical and mental health

236. The representative stated that, although the last few years had seen the establishment of private hospitals, this tendency should not be seen as a general trend. His Government's emphasis was on controlling the cost to patients and avoiding commercialization rather than privatization as such.

237. Concerning questions about AIDS and about governmental schemes to help the victims without stigmatizing them, the representative described the programmes undertaken in his country. These activities, he said, focused on information to the general public and to high-risk groups, on care for the sick and on preparation of the general health system. As high-risk groups, he identified men who have sex with other men (avoiding the terms homosexual or bisexual), drug users and recipients of blood transfusions. He emphasized the good co-operation between the authorities and these groups and underlined that respect for the human rights of the victims was being shown while they were also expected to respect their duties.

238. The representative of the State party thanked members of the Committee for their constructive comments and promised to relay all the points made to the respective Ministries in Oslo. His Government believed that open and frank reporting by States on the implementation of their international obligations was essential, but there was nevertheless always the danger that the international angle to those national issues could become too distant; the dialogue established between governments and the Committee therefore provided a useful occasion to maintain a functional and meaningful application of these instruments.

Concluding observations

239. In concluding the consideration of the report of Norway, members of the Committee thanked the representatives for their lively contributions which had supplemented the written report in a very useful manner.

Yugoslavia (arts. 13-15)

240. Yugoslavia's initial report, concerning the rights covered by articles 13-15 of the Covenant (E/1982/3/Add.39), was examined by the Committee at its 14th and 15th meetings, held on 17 February 1988 (E/C.12/1988/SR.14 and 15).

241. The representative of the State party introduced the report. He said that the Constitution of the Socialist Federal Republic of Yugoslavia guaranteed to all citizens the right to education without any discrimination. The objective of education was to prepare citizens for democratic life, responsibility and creativity.

242. He described the educational system in his country, and said that education at all levels was free. Primary education, which lasted eight years, was compulsory and 98.5 per cent of children between the ages of 7 and 15 attended primary schools. Primary education was provided in the mother tongues of the children, namely, either in one of the three national languages or in one of the nine languages of nationalities. Children from poor families received text books and school supplies free of charge. Most of the children of Yugoslav nationals working abroad had access to language and history courses by correspondence.

243. The main purpose of secondary education was to ensure the general development of students and to offer them the opportunity of continuing their schooling at a higher level and acquiring vocational training leading to a job. Although secondary education was not compulsory, 90 per cent of children who completed their primary education continued their schooling. Courses were given in the three national languages and in six languages of nationalities.

244. As for higher education, he explained that there were three types of higher educational establishments in Yugoslavia, namely, specialized high schools (two years of study), art academies (four years of study) and university faculties (four to six years of study). He noted that Yugoslavia was one of the foremost countries of the world from the standpoint of the proportion of young persons receiving higher education, since students accounted for 20 per cent of the 19 to 25-year age group.

245. The representative of the State party also pointed out that, under the Yugoslav Constitution, all nations and nationalities of the Federation enjoyed the right to free cultural development; Yugoslavia had an extensive network of cultural institutions, universities and research centres which ensured the exercise of that right. Relevant figures were provided.

General observations

246. The members of the Committee congratulated the Yugoslav Government on the quality of the report submitted as well as its representative on his statement, and noted in particular the frankness with which the difficulties encountered by the Government in the implementation of the relevant provisions of the Covenant had been described.

247. It was observed that the report revealed a certain imbalance between the theoretical description of systems and the description of the situation in practice, particularly in view of the rather special self-management principle;

further statistical information, more recent than that contained in the report, was therefore requested on the subject.

248. Additional information was also requested concerning the division of legislative competence in matters of science, research and education between the Federation and the federal units of Yugoslavia. A question was raised concerning the proposal to revise the Constitution, namely, whether the proposal had been acted on. With respect to the situation at Kosovo, it was asked what the outcome was likely to be.

249. Noting that Yugoslavia recognized that men and women had equal rights to education, members of the Committee observed that age-old traditions still hampered access to education for girls and asked what steps had been taken by the Government to bring about a change in the mentality of parents in that respect.

250. In that context, questions were also raised about the access of women to higher education in general and about the number and percentage of women holding teaching posts at the university level in all branches.

251. Members of the Committee also asked whether the general economic recession had had an impact on Yugoslavia, whether any budgetary cuts had influenced the exercise of the rights set out in articles 13 to 15 of the Covenant, and to what extent religious denominations had the right to set up their own educational establishments. Members of the Committee had been interested to hear of the measures that could be taken in the context of the self-management system to reduce inequalities in access to education, and supplementary information was requested about the system of scholarships and credits described in the report (E/1982/3/Add.39, paras. 50 and 51) and their possible effect on freedom of choice in educational matters. Clarification was requested of the extent to which the State contributed to the educational budget and of the way in which the resources of the self-management system were mobilized.

252. It was also asked whether certain non-governmental bodies had participated in the preparation of Yugoslavia's report and whether the Ministry of Foreign Affairs had invited the Yugoslav people to take note of the report and present their observations on it.

253. The representative of the reporting State, replying to the questions raised by the members of the Committee, gave a detailed description of the organization of the educational system of Yugoslavia, paying particular attention to the federal structure of the Yugoslav State. The required information as to the constitutional reform and its main features, relating to articles 13 to 15 of the Covenant, was also given.

254. As to the question on self-management in education, culture and at university level, it was explained that the experiment had started in 1950 in an attempt to make people more responsible for decision-making. There was now a number of self-managing communities of interest in areas such as education, health, welfare and others, operating on a delegation system. At the university level, there were two chambers of community of interests - associated labour and the academics. The description of the community of interest was given. It was declared that, in the Yugoslav experience, the system, if properly operated, was good in that it made everyone in a democratic society share the responsibility for education. However,

it was emphasized that there were naturally many difficulties about what percentage of its income associated labour should provide and about decision-making.

255. Referring to the impact of the economic recession, he said that it had had serious effects on the Yugoslav economy and, as a result, there had been some cuts in spending on education but they had not been so great as to prevent continued advances in that field.

256. Turning to the question of the relationship between the religion and education, the representative of the reporting State declared that in Yugoslavia everyone was free to profess a religious belief; the teaching of religion was therefore a private matter for families and was generally separate from the question of schooling. However, he said, the Roman Catholic Church had two university faculties, seven high schools and nine secondary schools; the Serbian Orthodox Church had one university faculty and two secondary schools and the Muslims had one university faculty and two secondary schools.

257. With regard to the status of women in Yugoslavia, it was stated that the number of women engaged in teaching and cultural matters was 53.9 per cent of the total; the proportion of girls in secondary education for the years 1984-1985 was 47.3 per cent and the corresponding figure for higher education was 45.5 per cent. According to 1983 statistics, the proportion of women engaged in scientific research was 43.7 per cent and in physical training and sport 51.4 per cent.

258. On the subject of Kosovo detained information was provided to the Committee, which included description of relevant constitutional provisions, the pertinent statistical data, and the description of the actual situation. The attention of the members was drawn to the fact that, 45 years earlier, 90 per cent of the population in Kosovo had been illiterate and that by 1986 almost all the children were attending elementary school and there had been 40,000 students, a higher figure than in some of the other Republics. The Committee was also informed that the status of Kosovo was described at some length in the eighth periodic report of Yugoslavia to the Committee on the Elimination of Racial Discrimination. 5/

Article 13: Right to education

259. The members of the Committee requested additional information on the reason why not all children attended primary school, since the Constitution stated that primary education was compulsory. Moreover, in connection with the question of supplementary education provided for the children of Yugoslav migrant workers, referred to in the report (E/1982/3/Add.39, para. 12), it was asked whether educational facilities were also available to Yugoslavs residing abroad and what proportion of Yugoslav children abroad received education in their mother tongue and in their national culture. Clarification was also requested of the measures taken to improve the material conditions of teaching staff and their salaries in relation to those of salaried workers as a whole.

260. Members of the Committee requested additional information about disparities between various regions, such as the rate of enrolment in primary schools.

261. The representative of the reporting State, replying to the questions raised by the members of the Committee, declared that the Yugoslav Government had been paying attention to the children of Yugoslav migrant workers and that a number of Yugoslav schools had been established abroad in countries where there was the largest

concentration of such workers. Children were also given opportunities to visit Yugoslavia for work or study and to participate with other Yugoslav children in the activities called "working actions", which took place every year during the summer. On that subject, he added, Yugoslavia had prepared reports for OECD and UNESCO.

262. As for wages of teachers and professors it was said that there had been a number of strikes, particularly by elementary and secondary school teachers, to obtain higher wages and it was hoped that their salaries would soon be nearly equivalent to those paid to engineers and doctors. As to university professors, he pointed out that they were somewhat better off as they were required to do only four to six hours of lecturing a week and therefore had time available to earn additional money through consultancies and other possibilities open to them.

Article 14: Principle of compulsory free education

263. Referring to the statement in the report (E/1982/3/Add.39, para. 8) which indicated that 5 to 6 per cent of children did not attend school, members of the Committee said they would like to know what the State was doing to remedy the situation and requested information about the origin of such children.

264. It was further asked whether the principle of free education was also applied at the university level and whether the advantages of university education were available not only to nationals but also to foreigners residing in Yugoslavia. In the same context, members of the Committee requested information on the nature of the loans (*ibid.*, para. 91), how they were granted, and above all how they were repaid.

265. The representative of the reporting State, in response to the questions asked, stated that with regard to the universities, all tuition was free as at other educational levels but in some cases students, except for those from poor families, were required to pay for text books. Transport accommodation and food cost them about \$15 per month. Other pertinent information on that subject was also provided, including information concerning scholarships, credits and allocations.

Article 15: Right to take part in cultural life and to benefit from scientific progress and from the protection of the interests of authors

266. The members of the Committee requested supplementary information on the number of foreign students in Yugoslavia and on what had been done by the Government to ensure respect for the cultural rights of the gypsy minority. It was also asked what proportion of the State budget was devoted to culture, what proportion of that amount represented contributions from personal income, and what contribution was required of workers. More detailed information was requested on the possibilities offered in the educational, cultural and artistic fields.

267. The representative of the reporting State in reply to questions raised by the members stated that Yugoslavia had educational and cultural co-operation arrangements with virtually all countries. There were about 15,000 foreign students in Yugoslavia from all over the world, mainly in the medical and technical faculties. Turning to the question of national minorities, he said that his country was making every effort to preserve the cultural identity of its many ethnic groups, including gypsies. Relevant figures were provided. Newspapers were published and education provided in 12 languages. There was official encouragement

to preserve ethnic customs and expression through dancing, theatre and music. Such efforts were closely linked to information programmes to help people to preserve their cultural identity in as many fields as possible.

268. Finally, the representative of the reporting State expressed his satisfaction with the discussion which had been both challenging and useful, and his appreciation of the friendly atmosphere in which it had been conducted.

Concluding observations

269. In concluding the consideration of the report, members of the Committee thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant. It was observed that supplementary information with respect to the situation in Kosovo and as regards any significant regional disparities in the enjoyment of economic, social and cultural rights within Yugoslavia, would be appreciated.

Zaire (arts. 6-9, 10-12 and 13-15)

270. The Committee took up at the same time the initial reports of Zaire concerning rights covered by articles 6 to 9, 10 to 12 and 13 to 15 of the Covenant (E/1984/6/Add.18, E/1986/3/Add.7 and E/1982/3/Add.41) at its 16th to 19th meetings, held on 18 and 19 February 1988 (E/C.12/1988/SR.16-19).

271. The reports were introduced by the representative of the State party, who referred to the establishment, on 31 October 1986, of a Ministry in the Government of Zaire with special responsibility for citizens' rights and freedoms. He said that that new Ministry attested to his country's commitment to the promotion of and respect for human rights. He also said that, in adopting measures to implement economic, social and cultural rights, his Government had to take account of two major constraints, namely, safeguarding the peace, security, political stability and unity of the country and coping with an international economic situation that was not conducive to development.

272. Referring to articles 1 to 5 of the Covenant, the representative said that, in Zaire, the right of peoples to self-determination was a legal reality which was guaranteed by a number of provisions, beginning with article 10 of the Constitution, and that, in his country, there was no distinction based on race, colour, sex, language, religion or opinion, wealth or birth.

273. The representative then referred to the content of the reports submitted by his Government and, in particular, to the laws governing economic and social life in Zaire, such as the Investments Code, as amended in 1986, and the Labour Code. He also referred to various measures and programmes which had been adopted by the authorities to improve economic, social and cultural conditions in the country. He explained, *inter alia*, that his Government had opted for economic liberalism and that, quite recently, the President of the Republic had decided to set up a Ministry of Housing and Social Dwellings.

274. With regard to the right to education, he pointed out that, before his country had acceded to independence in 1960, it had had only 10 persons with university degrees, whereas, recently, 70,000 persons had held advanced education and university degrees and 80,000 candidates sat the baccalaureate examination every

year. Primary school attendance was compulsory for children between the ages of 6 and 15. He explained that the Outline Law on National Education promulgated on 22 September 1986 was based on the philosophy that all those involved in the educational process, namely, the State, parents and religious faiths, had an obligation to share responsibility for national education. Many government institutions were, moreover, responsible for Zaire's cultural development in a political framework of authenticity, which meant a return to the country's true cultural identity.

General observations

275. Members of the Committee were of the view that the reports had provided sufficient information with regard to legislation in Zaire, but did not give a clear understanding of the actual situation in the country with regard to the practical implementation of economic, social and cultural rights as required by the Covenant. They wished to receive, in particular, statistical information in various fields which would help the Committee in assessing the progress achieved by Zaire in fulfilling its obligations under the Covenant. They also observed that the reports reflected the problems which Zaire had to face as a developing country with a large territory and population and they wished to know whether programmes existed to solve the difficulties encountered. In this connection, it was recalled that many Zairians were arriving in Europe as political or economic refugees and clarification was sought with regard to this phenomenon and its relationship with the current state of human rights in Zaire, which seemed to raise concern in the international community.

276. In addition, more information was requested on the implementation in Zaire of articles 1 to 5 of the Covenant and on the structure and goals of the People's Movement for the Revolution. It was also asked whether the Covenant had been incorporated into the domestic legal system or whether national legislation was being reviewed in order to enact further provisions to take account of the obligations under the Covenant.

277. With reference to article 2 of the Covenant, members of the Committee noted that foreigners present in Zaire enjoyed the same protection accorded to persons and properties as nationals, with exceptions determined by law, and they asked for clarification on those exceptions, as well as on the regulations concerning religious sects in Zaire and their dissolution. It was also noted that recent statistics of the World Bank showed that the Zairian authorities had taken a decision to reduce expenditure on social rights and it was asked how the Government reconciled that decision with its obligations under article 2 of the Covenant and what were the repercussions of Zaire's economic situation on the enjoyment of social rights.

278. In addition, members of the Committee felt that clarification was needed in respect of the enjoyment of equal rights for men and women in Zaire which did not seem in conformity with the provisions of article 3 of the Covenant. They wished to know, in particular, why a married woman had to seek her husband's permission to work outside the home, what were the functions in employment which were primarily or exclusively reserved for men or for women, why the number of women enrolled in secondary schools was much lower than the number of men, whether women's associations existed in Zaire to assist in solving their problems, whether family planning facilities were available to both men and women, what was the women's role

in politics and in the context of the family, whether women had access to university education and what measures were being taken to improve the situation of women in Zaire.

279. In replying to the questions asked by the members of the Committee, the representative provided detailed information on the People's Movement for the Revolution, which guided political life in Zaire, and on what it meant to be an activist in that Movement. In that connection, he described the way in which the country's system of political organization had changed since the achievement of independence in 1960 and explained that, after many internal struggles, the current President of the Republic had succeeded in assuming power in 1966 and in promulgating a new Constitution, which had been accepted by referendum in 1967. The Constitution of Zaire provided that the State should be organized into a single movement, the People's Movement for the Revolution, which was not a political party, but, rather, a political institution to which all Zairians belonged from birth and in which every citizen could freely express his views. In accordance with the Constitution, the head of State represented the country in international bodies and was responsible for guaranteeing the territorial integrity of the country, but power was exercised by the bodies which composed the People's Movement for the Revolution and which all had their own duties and functions.

280. The representative also stated that there was no mass exodus of Zairians towards other countries. Those who left Zaire did not do so on account of human rights problems, but for economic betterment. They were not as many as 10,000, all categories together; 60 per cent of them were probably clandestine and those who were both clandestine and politically motivated were a mere handful.

281. The representative further explained that the Covenant was an integral part of municipal legislation. According to the Zairian Constitution, international treaties, when ratified, ranked as superior rules of law and the domestic legislation had to be modified to conform to them. It was the task of his Ministry and other government departments to see that the necessary changes in domestic legislation were made.

282. With regard to the situation of women in Zaire, the representative explained that, under article 3 (c) of the Zairian Labour Code, a married woman could not work if her husband objected to her doing so, but remedies were available to her if his refusal was unwarranted. In accordance with the Labour Code, moreover, women were entitled to the same wages as men for work of equal value; pregnant women were entitled to take 14 consecutive weeks of maternity leave without prior notice, merely by submitting a medical certificate attesting to their condition, and nursing mothers were entitled to two rest periods per day at work.

283. In education, there was no distinction between boys and girls. The fact that the literacy rate among girls was still low could be explained by the continuing existence of reactionary attitudes in some remote parts of the country, but that situation was improving.

284. The representative also noted that Zairian women were members of religious and occupational associations, in accordance with the Constitution, participated fully in the political life of the country and held posts in the People's Movement for the Revolution, in the Government and in the civil service.

285. Within the family, women and men had the same duties towards their children. Men were, however, still the heads of household and women had to obey them; that was why married women had to obtain their husbands' permission for any legal act and even in order to travel. The situation in that regard was nevertheless changing and, under the new Family Code promulgated on 1 August 1987, women could become heirs and also exercise parental authority. Marriage was monogamous and recorded before a registry official. Family planning services were available to Zairian families.

Article 6: Right to work

286. It was noted that work for every Zairian was not only a right but also a duty and some clarification was requested on the concept of work as a duty which seemed to be in contravention with article 6 of the Covenant. In this connection, it was asked whether a certain form of forced labour still existed in Zaire which, according to official sources of the ILO, particularly affected medical practitioners and graduates. It was also asked what was, in details, the Government's employment policy and the results obtained from it; what were the measures taken with regard to economic freedom and protection of the poorest sectors of society; what percentage of the population was employed, whether there was, in Zaire, legal protection against individual or mass lay-offs and how the system operated in practice .

287. The representative of Zaire replied that the requisitioning of doctors and other graduates had been necessary in the past since Zaire, as other developing countries, was short of trained personnel; however, requisitioning had been discontinued in 1987.

Article 7: Right to just and favourable conditions of work

288. More information was requested about the labour inspection system, the number of inspectors and their activities. It was also asked what role case-law played in standard-setting for fixing equitable remuneration.

Article 8: Trade-union rights

289. Members of the Committee wished to receive information about the number and percentage of workers who belonged to trade-unions and the position of Zaire with regard to the pluralism of trade-unions. It was asked, in particular, how the State policy of economic freedom could be reconciled with the amalgamation of all trade-unions into a single body.

290. The representative of Zaire pointed out that, under his country's existing political system, it was quite normal that trade-union pluralism should no longer exist following experiences which had adversely affected social life and that there should now be a single national trade union that was capable of taking part in the country's development while defending the rights of workers.

Article 9: Right to social security

291. It was asked whether workers had to pay a contribution or whether social security benefits were provided by the National Social Security Institute through employer payments, what risks were covered, and whether there were in Zaire any special benefits provided for senior citizens apart from pensions.

Article 10: Protection of the family, mothers and children

292. More information was requested about the structure of the family in Zaire. It was asked, in particular, whether customary law and written law of the country conflicted on matters concerning marriage, to whom and by whom family allowances were paid, and whether the rights of natural or illegitimate children were protected.

293. The representative of Zaire replied that the adoption of the new Family Code on 1 August 1987 had brought about a unification of the two systems of written and customary laws and that written law now governed contracts, property and family relationships.

Article 11: Right to an adequate standard of living

294. Members of the Committee wished to know whether there were in Zaire any government programmes designed to increase agricultural production by teaching country dwellers agricultural techniques and improving the soil and in what fields international co-operation was most needed in Zaire, since it appeared from United Nations statistical sources that the calorie intake had decreased from 1970 to 1984. In this connection, more detailed information was requested on measures taken in Zaire to achieve food self-sufficiency, and on the actual situation with regard to malnutrition and starvation. Further information was also requested on the practical implementation of the right to housing.

Article 12: Right to physical and mental health

295. Information was requested on measures taken in Zaire to reduce the mortality rate, on the number of doctors and hospitals per inhabitant, and on experiments reported by the Government which had been made in the context of the campaign against AIDS.

296. The representative of Zaire provided details concerning the development of medical research in his country leading to the preparation of a product able to produce remission of AIDS in a number of patients.

Articles 13 and 14: Right to education

297. Members of the Committee were of the view that the fact that Zaire was not able to secure primary education free of charge was not in conformity with articles 13 and 14 of the Covenant. They asked therefore whether any plan had been prepared to implement fully the right to education in accordance with the relevant provisions of the Covenant. They also asked which were the criteria in deciding against the use of certain local languages and dialects in schools, what percentage of children could not receive primary education because they lived too far from schools and whether there were in Zaire plans to build more schools. In addition, they wished to know how the funding of education was shared between the States, parents and other relevant parties, whether the ultimate objective of national education in Zaire was only the training of activists in the People's Movement for the Revolution and how the provision concerning imprisonment of parents failing to send their children to school was implemented.

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

298. Members of the Committee wished to know whether there was a common cultural basis among the numerous ethnic groups existing in Zaire and what was being done to preserve the common heritage as well as the specific features of each ethnic group. More information was also requested about the policy of "authenticity", the commitment of Zaire to African culture and the work of the Musical Censorship Commission which had been established in the country in 1967.

299. In replying to the questions asked, the representative of Zaire described the origins and development of his country's cultural philosophy of authenticity, which was being promoted by a number of institutions.

300. He explained that, in Zaire, where many languages and dialects were spoken, the decision to opt for four official languages had been taken by consensus and had not been an attempt to give the other languages in the country minority status.

301. In accordance with paragraph 9 of decision 1981/158 adopted by the Economic and Social Council on 8 May 1981, the representative of the ILO provided information on ILO conventions ratified by Zaire which were relevant to the implementation of the provisions of the Covenant. He also informed the Committee about comments and observations of the ILO Committee of Experts on the Application of Conventions and Recommendations on the question of compulsory civic service in Zaire, including the requisitioning of medical practitioners and graduates, and on the question of the enjoyment by Zairians employed in public enterprises of the right of free collective bargaining.

302. Upon completion of the consideration of the reports, the representative of Zaire stated that the comments and questions by the members of the Committee would enable his Government to improve the presentation of its future reports both in terms of form and in terms of substance. In that connection, he assured the Committee that the Government of Zaire would transmit detailed information and statistical data to fill gaps in the initial reports which had just been considered. Such information and data would be included in a complementary document which would be issued as an addendum and could be regarded as an integral part of Zaire's initial reports.

Concluding observations

303. Members of the Committee thanked the representative of Zaire for his initiative in offering supplementary written information which would facilitate the dialogue between the Committee and the Zairian Government. That supplementary information such as relevant statistics would also assist the Committee in understanding better the difficulties of Zaire in implementing the provisions of the Covenant and would provide a clearer indication of measures taken by the Government in its effort to overcome those difficulties. It was recalled, in this connection, that the members of the Committee had expressed particular concern with regard to certain issues related to the implementation of the Covenant in Zaire such as the problem of Zairian refugees, the question of equality between men and women, the enjoyment of trade-union rights and the abolition of free primary education.

Bulgaria (arts. 10-12)

304. The second periodic report of Bulgaria on the rights covered in articles 10 to 12 of the Covenant (E/1986/4/Add.20) was considered by the Committee at its 17th to 19th meetings, held on 18 and 19 February 1988 (E/C.12/1988/SR.17-19).

305. The report was introduced by the representative of the State party. Having stressed that his Government attached great importance to co-operation with the Committee, he informed the Committee about new legislation adopted since the submission of the report and difficulties encountered in the implementation of the rights covered in articles 10 to 12 of the Covenant. He declared that the years 1986-1987 had been marked by profound changes in economic, social and political spheres in Bulgaria which had begun subsequent to the Thirteenth Congress of the Bulgarian Communist Party. Detailed description of restructuring in all areas of Bulgarian society was given. He emphasized that political restructuring would involve increasing democracy, strengthening socialist legality and establishing improved guarantees for the promotion and implementation of human rights as well as increasing openness in public life.

306. The representative stated that the most significant new legislation enacted since the report had been submitted was the Labour Code adopted by the National Assembly in 1986, following extensive popular consultation. The attention of the Committee was also drawn to the amendments to the Constitution which were to be submitted to the National Assembly in October 1988.

307. With reference to article 10 of the Covenant, he declared that protection of the family, mothers and children remained an important aspect of social policy. Within this context the pertinent statistics were given and it was stated that the new Family Code, adopted in 1985, had reviewed, codified and improved all legislation relating to measures for the protection of motherhood to be taken by the Government and social and economic organizations.

308. The representative stated that the improvement of living standards was also given high priority and pointed out that in 1987 the average monthly salary had risen 3.5 per cent in relation to 1986 and public consumption funds, used for social welfare purposes, had increased by 4.9 per cent; there had been 66,603 new housing places made available, which represented a 13.6 per cent increase over 1986. Retail food prices had remained unchanged, but since the beginning of 1988 a new concept of "international prices" had been introduced into the economy for the determination of prices according to the means of production, raw materials, energy, etc. Prices of essential consumer goods would continue to be subsidized by the State.

309. Another important objective of the social policy, said the representative, had been to improve the health of the population and eliminate or reduce to a minimum certain diseases, and for that purpose the Government had set up special medical services. In 1987, Bulgaria had adopted a strategy which was intended to achieve the goal of health to all by the year 2000, in accordance with the Global Strategy adopted by the World Health Assembly in its resolution WHA34.36 of 22 May 1981.

General observations

310. The Committee commended the Government on the report, which was of highest quality, and expressed its appreciation for the excellent and constructive oral presentation by the representative of the State party.

311. The members of the Committee noted with appreciation that the Bulgarian Government had submitted a very full report, describing not only the remarkable progress made in implementing the provisions of articles 10 to 12 of the Covenant, but also the difficulties encountered.

312. Observing that the Thirteenth Congress of the Bulgarian Communist Party had taken important decisions on restructuring, members of the Committee asked for more information on the changes under way in Bulgaria, particularly with regard to social and economic rights. They wished to have more information on social consumption funds, and in particular on how they were managed and financed.

313. Questions were asked about the economic and social status of minorities, about the provisions of the new Family Code on the principle of equality between the sexes and on the active role Bulgaria was playing in the field of international co-operation, which was very important for the implementation of the Covenant.

314. Further details were requested on the way the report had been prepared: what methods had been employed, what Ministries or other authorities had been responsible for it and what contribution had been made by non-governmental organizations.

315. The representative of the reporting State pointed out that the entire country was participating in a long-term process of restructuring which was taking place in Bulgaria. One key aspect of the reform was self-management and that the restructuring in the economic field was to be followed by social and political changes. As for operation of social consumption funds, he explained that the funds, which were allotted to education, health and social security, were financed from the budget of enterprises in various ways set out in article 170 of the Labour Code.

316. Replying to the question concerning the possible difference in the enjoyment of rights under the Covenant by different ethnic groups, the representative declared that Bulgaria was homogeneous from the ethnic point of view, but because of the geographical position of Bulgaria as a crossroads, there were Bulgarian citizens belonging to other ethnic-religious groups, such as Jews and Armenians. Further information on this subject was provided and in particular the Committee was informed that both under the Constitution and in practice there was no discrimination on grounds of race, religion, language or politics in Bulgaria.

317. Turning to the question of international co-operation, the representative of the reporting State informed the Committee that Bulgaria's participation in international co-operation in the field of human rights was becoming increasingly important and that Bulgaria was glad to see that the dialogue and the search for practical solutions without confrontation was playing an increasing part in that field.

318. As for the preparation of the report, he explained that it had been drawn up in a co-operative effort involving several States bodies and co-ordinated by the Ministry of Foreign Affairs. Women and youth organizations had also played an important part. He also informed the Committee that a non-governmental organization - national committee for the protection of human rights - was to be established in Bulgaria and would play an important part in preparing the reports and in implementing the rights under the Covenant.

Article 10: Protection of the family, mothers and children

319. With reference to a new Family Code adopted in 1985, it was asked why the Government had thought it necessary to revise the previous one dating from 1968. Members of the Committee asked for information on the question of leave to raise young children, referred to in the report (E/1986/4/Add.20, para. 12), and in particular on the persons who were entitled to take such leave. They also asked whether fathers or adoptive fathers who were unmarried could also receive the monthly allowances (*ibid.*, para. 13).

320. With regard to marriage, it was asked whether under Bulgarian law a marriage could be dissolved if one of the spouses had disappeared for a long time, what steps were taken to limit the "ill-considered and hasty divorces" (*ibid.*, para. 11) if the law recognized the idea of the "natural family" and gave children born out of wedlock the same rights as those born to married parents and if divorced parents could agree to share custody of the children. With reference to the statement in the report that a marriage could not be dissolved until three years had passed, it was asked whether the law allowed no exceptions in cases of force majeure.

321. The representative of the reporting State, in response to the questions raised, provided the Committee with additional information as to the implementation of article 10 of the Covenant. He declared, in particular, that Bulgaria had decided to change the Family Code in order to meet new developments in family situations. During its preparation, the population had been consulted and its opinions had been taken into account. On the basis of a broad interpretation of article 63, paragraph 6, of the Family Code, men and women did have the same rights to take leave to look after their children.

322. As for the notion of natural family, he stated that the natural family was not a legal concept in Bulgaria and it had not been included in the Family Code; the de facto situation did exist to some extent, but it had not reached such a level as to require action by legislators. Children born outside wedlock were given the same rights as legitimate children.

323. Turning to the question of parental authority after divorce, he stated that there were no relevant provisions in the Family Code, but the court decided which spouse had custody of the children. Under the Family Code the parent who did not have custody had the right to maintain contacts with the child.

Article 11: Right to an adequate standard of living

324. It was asked whether the price freeze on staple items, mentioned in the report (E/1986/4/Add.20, para. 24), did not run counter to the reforms planned as part of restructuring, under which prices had to reflect the market. In the same context, and in view of the unusual drought from which Bulgaria had been suffering for some

years, further information was requested on the rise in the prices of certain imported goods and the 60 per cent rise in the price of drinking water.

325. It was asked how the minimum monthly wage was calculated (*ibid.*, para. 18), and what the difference was between the nominal salary and the real salary (*ibid.*, para. 22). Members also wished to know whether there was any inflation in Bulgaria, and if so, what effect it had on people's standard of living.

326. Questions were asked about the extent of the housing shortage in Bulgaria, the situation of older people, and the measures taken by the Government to give effect to the right to adequate clothing during the exceptional conditions caused by three consecutive years of unusual drought.

327. Replying to the questions raised, the representative of the reporting State indicated that a change in the pricing system had been introduced as of 1 January 1988, to bring national prices into line with international prices, but the new system applied only to energy, the means of production and machines. In the case of consumer goods the State paid the difference and the price to the consumer remained the same, to avoid a large reduction in purchasing power. Consumer prices would only be altered after 1990 and studies were under way to find methods of implementation which would not affect purchasing power. Within the same context it was said that, although the rise of 60 per cent in the price of drinking water seemed very large, in reality the price of drinking water had formerly been ridiculously low and the price rise did not present a problem even for the poorest people.

328. Turning to the questions dealing with salaries, the representative stated that a minimum monthly salary was fixed by the relevant State bodies and reflected the minimum necessary living allowance in Bulgaria. He informed the Committee that the planned new measures included a significant increase in the monthly salary in 1988, and the minimum salary would also be altered. The relevant information on this subject was provided by the representative of the reporting State. As for differences between nominal and real wages, it was pointed out that the gap was not very large and further information was given.

329. In answer to the question concerning housing, the representative said that the housing situation in general was good, but the housing problem still existed in large urban centres, particularly in Sofia, Varna and Plovdiv, owing to the migrants from villages to towns. In spite of construction of new houses and flats, there were 10,000 families living in difficult housing conditions in Sofia.

Article 12: Right to physical and mental health

330. Members of the Committee, noting that per capita calorie consumption in Bulgaria seemed to be extremely high, asked whether the people were aware of the dangers of over-eating. They also wondered whether, in view of the fact that in the East European countries some 80 per cent of doctors were women, the introduction of a new family code so favourable to mothers was not liable to diminish the quality of the health services. Reference was made to the "over-production" of doctors in many developed countries, and it was asked whether entry to medical school was restricted in Bulgaria. Further information was also requested on government policy on mental health, on the measures taken to improve environmental and industrial hygiene and on the practical steps adopted against AIDS.

331. The representative of the reporting State replied to questions raised and in particular stated that the question of food did not cause concern among the population and was only of theoretical interest because Bulgarians traditionally ate a lot of calorie-rich foods and were unlikely to change their habits in the near future. However, he indicated that scientific studies were under way with a view to diet improvement which was given priority within the general strategy of health for all by the year 2000. As for the question of mental health, the problem affected only 1 per cent of the population, but Bulgarian hospitals were giving it all the necessary attention.

332. Turning to the problem of AIDS, the representative stated that in Bulgaria this problem did not yet give rise to great concern as in other countries. The Government, however, was aware that it was a global problem and had set up a cabinet committee to deal with the problem of AIDS. There were 60 HIV-positive cases and 2 cases of AIDS.

333. Replying to the question concerning environmental protection, the representative pointed out that this problem had arisen at a later stage in Bulgaria than elsewhere, but the Government was giving it serious attention. Some 227 million leva had been allocated to the environment in the 1985 budget and 252 million leva in 1986. A cabinet committee and other bodies had been established to deal with this matter.

334. In conclusion, the representative of the reporting State declared that he had been encouraged by the goodwill shown by the members of the Committee and that his Government would take their comments into account in preparing its next report.

Concluding observations

335. In concluding the consideration of the report, it was observed that the response given by the representative of the State party concerning the existence of minority groups in Bulgaria had left certain issues unresolved. Members of the Committee thanked the representative of the State party for the extremely frank and useful explanations given to the Committee and for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

Chapter IV

REVIEW OF METHODS OF WORK OF THE COMMITTEE

Introduction

336. As noted (above, para. 12) the Committee appointed a sessional working group to consider the Committee's methods of work. The group was composed of Mr. P. Texier, who was elected Co-ordinator of the group, Mr. M. Fofana, Mr. J. Marchan Romero, Mr. V. Mrachkov, and Ms. C. Taya. Various other members also attended and participated in the meetings of the group.

337. The sessional working group met regularly and worked on a provisional list of questions concerning the Committee's methods of work drawn up by the Rapporteur. The list was based on the following documents: Economic and Social Council resolutions 1987/4 and 1987/5, of 26 May 1987; General Assembly resolutions 42/102, 42/103 and 42/105, of 7 December 1987; the list of recommendations drawn up at the Committee's first session (E/C.12/1987/SR.28, para. 12); the provisional agenda for the meeting of persons chairing supervisory bodies, to be held in Geneva in October 1988 (E/C.12/1988/L.2); and proposals submitted by various members during the first two days of the current session.

338. At its 21st and 22nd meetings, on 23 February 1988, the Committee had before it the "Report and recommendations of the sessional working group" (E/C.12/1988/CRP.6), which had been prepared by the Co-ordinator.

General discussion on the report of the sessional working group

339. The Committee took note of the need expressed by the General Assembly in its resolution 42/105, paragraph 9, to reconsider the existing arrangements with respect to the periodicity of reporting requirements for States parties. Account was also taken of the desirability of harmonizing the reporting arrangements under the International Covenant on Economic, Social and Cultural Rights with those pertaining to the International Covenant on Civil and Political Rights and the other major United Nations human rights instruments. Members recognized that a considerable burden was borne by States parties under the present arrangements, whereby initial reports were due every two years during the first three-stage reporting cycle and subsequent reports were due every three years. It was felt that the preparation of a single report every five years would significantly lessen the demands placed on States parties and would facilitate the preparation of a more integrated and comprehensive picture of the situation. It was agreed that such a change should be accompanied by a revision and simplification of the reporting guidelines, which is a task that the Committee proposes to undertake at its third session. It was noted that the concept of a single report would be consistent with the indivisibility of the various rights contained in the Covenant. By the same token, it was agreed that the single report should nevertheless be organized into chapters reflecting the different clusters of rights recognized in the current reporting arrangements (arts. 6-9, 10-12 and 13-15).

340. It was asked whether the single report should be required once every five years or only once every seven years. Most members of the Committee felt that every five years was preferable and would bring the Committee into line with the practice of other supervisory committees.

341. It was observed that article 17, paragraph 1, of the Covenant indicated that States parties "shall furnish their reports in stages". Members of the Committee were of the view that the new system under consideration would still be in conformity with that requirement since each five-yearly report could be considered to be another "stage". It was noted that if the Economic and Social Council wished to seek advice on that technical point, it could always seek an opinion from the Legal Counsel. Members also agreed that initial reports should be required to be submitted within two years of the Covenant's entry into force for the State party concerned and that the Committee could request supplementary reports if it felt the need to do so.

Contents of States parties' reports

342. The Committee discussed the proposal contained in paragraph 10 of Economic and Social Council resolution 1987/4, to the effect that "universally recognized criteria" of implementation might be identified. It was agreed that that issue should be considered by the Committee at its third session in conjunction with the question of the revision and simplification of the reporting guidelines.

343. The Committee recognized the importance and value of seeking to harmonize and consolidate the reporting guidelines prepared by the various supervisory bodies in so far as a certain range of information is required from each State party by all of the treaty bodies. It was agreed that the specific details of the issues on which harmonization could be achieved would be best discussed by the meeting of persons chairing the supervisory bodies, to be held in Geneva in October 1988.

344. With respect to the revision of the guidelines, note was taken of the need, in accordance with paragraph 8 of Council resolution 1987/5, to focus "on such specific information as would assist the Committee to carry out its mandate more effectively". It was agreed that the revision would require considerable preparation and that this could best be undertaken by reflection on the relevant issues by members of the Committee between its second and third sessions.

345. The issue of duplication of questions in the various supervisory committees was discussed and it was agreed that a document prepared by the Secretariat might assist individual members in avoiding unnecessary duplication. It was noted, however, that some duplication was both inevitable and desirable and that it would not be appropriate to seek to limit the type of issues which Committee members might wish to raise.

346. The Committee discussed the backlog of work with which it was currently confronted and noted that more reports could be anticipated in view of the number of overdue reports. In view of the desirability of eliminating this backlog, members expressed the view that additional time should be made available to the Committee either in the course of 1988 or at the third scheduled session, in 1989. In this regard note was taken of paragraph 16 of General Assembly resolution 42/103 in which the Secretary-General was requested to ensure, within existing resources, that the Committee is able to hold the necessary sessions. Before taking a decision on this matter the Committee noted that it entailed financial implications and requested that the relevant details should be provided to the Economic and Social Council along with the Committee's request for additional meeting time.

347. With respect to the need for rules of procedure the Committee agreed that provisional rules should be adopted as soon as possible and that it should consider the matter at the third session on the basis of a preliminary draft to be prepared by the Secretary-General.

348. It was proposed that the Committee recommend to the Council the establishment of a pre-sessional working group to undertake a preliminary review of States parties' reports. The representative of the Secretary-General provided the Committee with detailed information on the relevant practice of the Human Rights Committee in this regard. Note was also taken of the fact that financial implications would attach to the proposal and the Committee requested that these be provided to the Council.

349. The Committee agreed that it would be useful, in terms of its own work and of the work of other United Nations bodies dealing with questions of economic, social and cultural rights, if it held a general discussion at each session which would focus on one particular right or a single article in the Covenant. The purposes would be to enable the Committee to review in a more synthetic manner the totality of the reports which it had received on a specific matter, to facilitate the exchange of experience among States and to develop a better understanding of the content and implications of different rights. The discussion would be based on all available reports and other relevant materials and members would be requested to reflect on the topic (which would be agreed upon at the preceding session) so that they would be well prepared to participate in a general discussion. It was agreed that the one-day discussion should be held during the final week of the Committee's sessions so as not to reduce in any way the time available for the consideration of States parties' reports.

350. At the conclusion of its general review of the report of its sessional working group, the Committee adopted the following conclusions and recommendations with respect to its future work. The Committee wishes to draw the attention of the Economic and Social Council to its conclusions and in particular to recommendations contained in paragraphs 351, 354, 356, 361 and 373, which would require specific authorization by the Council.

Conclusions and recommendations adopted by the Committee with respect to its future methods of work

Reporting obligations

351. In accordance with article 17 of the Covenant, the Committee recommended that the Council take the necessary steps with a view to amending the reporting programme previously adopted by the Council in its resolution 1988 (LX). Henceforth, States parties should be requested to submit a single report, in conformity with the relevant provisions of the Covenant including especially articles 1 to 5, on the implementation of the rights contained in articles 6 to 15 within two years of the Covenant's entry into force for the State party concerned and thereafter at five-yearly intervals. The report should be divided into chapters dealing separately with the three principal groups of rights (arts. 6-9; arts. 10-12; and arts. 13-15).

Guidelines

352. The Committee decided that the guidelines for States parties reports should be revised and simplified and agreed that the issue should be taken up by a sessional working group to be established at its third session. It was agreed that, in order to facilitate the discussions of the Working Group, members of the Committee who would be present at its third session, should, in the intervening period, give some reflection to the specific issues which needed to be addressed in the guidelines dealing with each of the substantive articles of the Covenant.

353. With a view to reducing, as far as desirable and possible, the duplication in the different supervisory bodies of issues raised with respect to any given State party, the Committee agreed to request the Secretary-General to prepare a document showing clearly the extent and nature of any overlapping in terms of the issues dealt with in the principal human rights treaties. The document would be used solely for the purpose of alerting members of the Committee to the possibility of overlapping.

Preparation of States parties' reports

354. With respect to the preparation of their reports, the Committee recommends that the Council invites States parties to review the processes followed in the preparation of their reports, including consultation and co-ordination with relevant governmental departments and agencies, compilation and data and training of staff and, as far as possible, to hold as appropriate consultations with interested non-governmental organizations.

355. The Committee agreed to recommend the continuation and expansion of steps already taken with a view to assisting States parties to fulfil their reporting obligations. Such steps included the holding of regional training courses, the provision of fellowships, the undertaking of direct contacts, etc. It considered that international co-operation of this nature would be even more necessary once the Committee had completed the revision of its reporting guidelines.

Future sessions of the Committee

356. In view of the backlog of reports awaiting consideration and of the number of overdue reports to be submitted, the Committee agreed to request that the Council authorize, on an exceptional basis, an additional week of meetings at its third session or alternatively that it authorize an extraordinary additional session to be held before the end of 1988.

357. With respect to the timing of its future sessions, the Committee agreed to recommend that an effort be made to avoid overlapping with the sessions of the Commission on Human Rights.

Rules of procedure

358. The Secretary-General was requested to provide the Committee with a preliminary draft of a set of provisional rules of procedure. The draft, which was to be submitted to the Committee at its third session, would be prepared on the basis of the relevant resolutions and decisions of the Economic and Social Council, the rules of procedure used by other supervisory bodies in the human rights field,

and the experience of the Committee to date. The Committee decided to allocate initial consideration of the draft to its sessional working group.

States parties reports

359. The Committee decided that its Chairman, acting in the name of the Committee, and after consultations with the members of the pre-sessional working group which the Committee sought authorization to establish (see para. 361 below), should send a letter to States parties whose reports did not respond to the questions raised by the Committee on the occasion of the consideration of their previous report, requesting them to provide the Secretariat with supplementary information at least three months before the session during which the report was to be considered.

360. The Committee decided that it would not be fair to reject a report presented by a State party on the grounds that it did not comply with the general guidelines. However, communications with States parties whose reports were incomplete, inviting them to supplement their reports with additional information to facilitate their consideration and to give a more realistic picture of the countries' situations, were encouraged. The Committee thereupon decided that its Chairman, after consultations with the members of the pre-sessional working group which the Committee sought authorization to establish (*ibid.*), should address a letter on behalf of the Committee to the States parties concerned and request that additional information be sent to the Secretariat not later than three months prior to the session during which the reports were to be considered.

361. The Committee also agreed to request the Economic and Social Council to authorize the establishment of a pre-sessional working group composed of five of its members to be appointed by the Chairman to meet for one week prior to each session. Its principal purpose would be to identify in advance the questions which might most usefully be discussed with the representatives of States parties. The questions would be transmitted directly by the working group to the Permanent Mission of the State concerned. The procedure would be similar to, but not necessarily identical with that followed by the Human Rights Committee and would be aimed at improving the efficiency of the system and facilitating the task of States representatives by providing advance notice of the principal issues which might arise in the examination of the report.

362. The Committee decided to reiterate the desirability of States parties' reports being presented, as far as possible, by experts in the fields concerned.

Sources of information

363. The Committee also noted the importance of statistical information and requested the Secretary-General to continue to provide it with relevant data taken from United Nations sources. It also noted the importance of receiving relevant information from the specialized agencies, the regional commissions and other relevant United Nations bodies to assist it in its work. The Committee welcomed the regular attendance at its second session of the representative of ILO and appreciated the pertinence of his observations. It invited other United Nations bodies, including in particular UNDP, to follow the example of ILO. The Committee also noted that, in accordance with paragraph 6 of Economic and Social Council resolution 1987/5, several non-governmental organizations in consultative status had submitted written statements at its second session and that these had assisted the Committee in its work.

Organization of work

364. In response to paragraph 10 of Economic and Social Council resolution 1987/4, the Committee decided to organize its work in such a way that the time devoted to the consideration of each State party's report would be limited. Accordingly, as from its second session, the Committee agreed to allocate the time available for the examination of each report as follows: 15 minutes for an introduction by the representative of the State party; 90 minutes for questions by members of the Committee and observations by representatives of the specialized agencies; 60 minutes, preferably at a subsequent rather than the same meeting, for a reply by the State party; and 15 minutes for concluding questions or observations by the members of the Committee. It was also agreed that the Chairman should regularly remind members of the desirability of avoiding the duplication of one another's questions, and that, in general, consideration of the Committee's future work should take account of the practices followed by other relevant supervisory bodies.

General discussions

365. It was decided that, at each of its future sessions, the Committee would devote one day, during the final week of its session, to a general discussion of one specific right or a particular article of the Covenant in order to develop in greater depth its understanding of the relevant issues. The discussion would take account of relevant information contained in the reports of States parties and of any other relevant material. The Committee agreed that at its third session the focus of its discussions would be on the rights contained in article 11 of the Covenant.

General comments

366. The Committee welcomed the invitation addressed to it by Council resolution 1987/5, paragraph 9, and endorsed by the General Assembly in its resolution 42/102, to consider at its second session the compilation of recommendations in the summary records of the Committee (E/C.12/1987/SR.28, para. 12) relating to its future work, "paying particular regard to practices followed by other treaty bodies, including the preparation of general comments by the Human Rights Committee".

367. In pursuance of the above invitation, the Committee wished to inform the States parties to the International Covenant on Economic, Social and Cultural Rights and the General Assembly, through the Economic and Social Council, that it decided at its second session to begin, as from its third session, in 1989, the preparation of general comments based on the various articles and provisions of the Covenant with a view to assisting the States parties in fulfilling their reporting obligations.

368. The Committee and the sessional working group of governmental experts which preceded it, had examined so far 124 initial reports and 44 second periodic reports concerning rights covered by articles 6 to 9, 10 to 12 and 13 to 15 of the Covenant. This experience covered a significant number of States parties to the Covenant, currently consisting of 91 States. They represented all regions of the world, with different socio-economic, cultural, political and legal systems. Their reports submitted so far illustrated most of the problems which might arise in implementing the Covenant although they did not yet provide any reliable or

complete picture as to a world-wide review of the situation with regard to the enjoyment of economic, social and cultural rights.

369. The Committee would endeavour through its general comments to make the experience gained so far through the examination of these reports available for the benefit of all States parties in order to promote their further implementation of the Covenant; to draw the attention of the States parties to insufficiencies disclosed by a large number of reports; to suggest improvements in the reporting procedures and to stimulate the activities of the States parties, the international organizations and the specialized agencies concerned in achieving progressively and effectively the full realization of the rights recognized in the Covenant.

370. To this end, the Committee decided on the following methods of work to be followed at its future sessions in the drafting and preparation of general comments on the selected articles and provisions of the Covenant:

(a) Any expert member of the Committee might propose at any time during a session that general comments relating to a specific article or specific provision of an article of the Covenant be prepared;

(b) The member making the proposal would undertake to submit to the Secretariat for circulation to other members of the Committee an informal draft of his or her proposed text of a general comment in one of the working languages of the Committee;

(c) Between sessions of the Committee, any expert might send to the Secretariat for circulation to other members of the Committee a draft proposal for a general comment. The text proposed by the member shall be included among the materials sent to all members, indicating the name of the expert submitting the proposal;

(d) The Chairman of the Committee might choose, in consultation with other members, to call for consideration of the proposed text, as and when appropriate, under general business or to refer the draft proposal to a pre-sessional or sessional working group of no more than five members for consideration and reporting back to the Committee;

(e) The working group would have the function of considering, drafting and consolidating all relevant proposals and submitting to the Committee the draft text of the general comment for its final adoption as and when appropriate;

(f) The general comment thus adopted by the Committee shall be included in the annual report of the Committee to the Economic and Social Council and shall be brought to the attention of the General Assembly upon decision of the Council;

(g) Upon consideration of the annual report of the Committee by the Economic and Social Council, including the text of the general comment, the Secretary-General shall formally transmit the text of the general comment to the States parties to the Covenant and to the specialized agencies concerned for any observations which they might wish to make;

(h) The text of the observations, if any, received by the Secretary-General from the States parties and the specialized agencies shall be brought to the attention of the Committee at its following session, as and when appropriate, and shall be annexed to the next annual report of the Committee to the Economic and Social Council under Council resolution 1985/17, of 28 May 1985.

International co-operation

371. The Committee underlined the importance of making recommendations on international co-operation and technical assistance in accordance with articles 22 and 23 of the Covenant.

Publicity

372. The Committee considered it very important that greater publicity be given to its work. In that regard, it recommended inter alia that members of the Committee should undertake to help to give the Covenant greater publicity by all means available to them, taking part in conferences and meetings with non-governmental organizations and the press, publishing scientific, legal or other articles on the Covenant, etc. The Committee also requested the Secretariat to prepare a bibliography of published material relating to the Covenant and the work of the Committee.

Submission of reports and ratification of the Covenant

373. With respect to the non-submission of reports, the Committee reiterated the recommendations made at its first session (E/C.12/1987/5, para. 318) and asked the Economic and Social Council to request the Secretary-General to send appropriate reminders to those States parties whose reports were overdue. It was also agreed that the Committee should continue to mention in each of its own reports States which were late with their reports or had not submitted any reports at all.

374. With respect to non-ratification of the Covenant, the Committee noted that the Commission on Human Rights, the Economic and Social Council and the General Assembly regularly adopted resolutions urging all States to ratify the Covenant. The Committee noted in particular that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by its resolution 1 B (XXXII) of 5 September 1979, requested the States which had not ratified certain instruments on human rights, including the International Covenants on Human Rights, to inform the Sub-Commission of the circumstances which had so far not enabled them to become parties to these human rights instruments and to explain any particular difficulty which they might face in respect of which the United Nations could offer assistance. The Committee also requested that the information submitted to the Sub-Commission in accordance with resolution 1 B (XXXII) be made available to members of the Committee.

Chapter V

ADOPTION OF THE REPORT

375. At its 23rd to 24th meetings, held on 25 February 1988, the Committee considered its draft report (E/C.12/1988/CRP.1, CRP.2 and Add.1 to 10, CRP.5 and CRP.7) to the Economic and Social Council on its second session. The Committee adopted the report as amended in the course of the discussions.

Notes

1/ See Council decision 1986/150, para. 2.

2/ For a list of the reports considered by the Committee at its second session, see below, para. 17.

3/ E/CN.4/1988/NGO/9.

4/ A/42/725.

5/ CERD/C/118/Add.23

Annex I

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

(as of 25 February 1988)

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

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

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) <u>a/</u>	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) <u>a/</u>	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) <u>b/</u>
40. Iran (Islamic Republic of)	3 January 1976	E/1978/8/Add.2 <u>d/</u>	Overdue	E/1982/3/Add.43	-	-
41. Iraq	3 January 1976	E/1984/6/Add.3 and 8	E/1980/6/Add.14	E/1982/3/Add.26	-	E/1986/4/Add.3
42. Italy	15 December 1978	E/1978/8/Add.34	E/1980/6/Add.31 and 36	Overdue	Overdue	Overdue
43. Jamaica	3 January 1976	E/1978/8/Add.27	Overdue	Overdue	Overdue	-
44. Japan	21 September 1979	E/1984/6/Add.6 and Corr.1	E/1986/3/Add.4 and Corr.1	E/1982/3/Add.7	-	-
45. Jordan	3 January 1976	E/1984/6/Add.15	E/1986/3/Add.6	E/1982/3/Add.38	-	-
46. Kenya	3 January 1976	Overdue	Overdue	Overdue	-	-
47. Lebanon	3 January 1976	Overdue	Overdue	Overdue	-	-
48. Libyan Arab Jamahiriya	3 January 1976	Overdue	Overdue	E/1982/3/Add.6 and 25	-	-
49. Luxembourg	18 November 1983	<u>c/</u>	Overdue	Overdue	-	-
50. Madagascar	3 January 1976	E/1978/8/Add.29	E/1980/6/Add.39	Overdue	E/1984/7/Add.19	Overdue
51. Mali	3 January 1976	Overdue	Overdue	Overdue	-	-
52. Mauritius	3 January 1976	Overdue	Overdue	Overdue	-	-
53. Mexico	23 June 1981	E/1984/6/Add.2 and 10	Overdue	E/1982/3/Add.8	-	-
54. Mongolia	3 January 1976	E/1978/8/Add.6	E/1980/6/Add.7	E/1982/3/Add.11	E/1984/7/Add.6	E/1986/4/Add.9
55. Morocco	3 August 1979	Overdue	Overdue	Overdue	-	-
56. Netherlands	11 March 1979	E/1984/6/Add.14 and 20	E/1980/6/Add.33	E/1982/3/Add.35 and 44	-	Overdue
57. New Zealand	28 March 1979	Overdue	Overdue	Overdue	-	-
58. Nicaragua	12 June 1980	E/1984/6/Add.9	Overdue	E/1982/3/Add.31	-	-
59. Niger	7 June 1986	<u>c/</u>	<u>c/</u>	Overdue	-	-

State party	Date of entry into force	Articles 6-9 Initial reports (Due 1/9/77 or 1/9/83) a/	Articles 10-12 Initial reports (Due 1/9/79 or 1/9/85) a/	Articles 13-15 Initial reports (Due 1/9/81 or 1/9/87) a/	Articles 6-9 Second periodic reports (Due 1/9/83)	Articles 10-12 Second periodic reports (Due 1/9/86) b/
60. Norway	3 January 1976	E/1978/8/Add.12	E/1980/6/Add.5	E/1982/3/Add.12	E/1984/7/Add.16	E/1986/4/Add.21
61. Panama	8 June 1977	E/1984/6/Add.19	E/1980/6/Add.20 and 23	Overdue	-	E/1986/4/Add.22
62. Peru	28 July 1978	E/1984/6/Add.5	Overdue	Overdue	-	-
63. Philippines	3 January 1976	E/1978/8/Add.4	Overdue	Overdue	E/1984/7/Add.4	-
64. Poland	18 June 1977	E/1978/8/Add.23	E/1980/6/Add.12	E/1982/3/Add.21	E/1984/7/Add.26 and 27	E/1986/4/Add.12
65. Portugal	31 October 1978	E/1984/6/Add.16	E/1980/6/Add.35/ Rev.1	E/1982/3/Add.27/ Rev.1	-	Overdue
66. Romania	3 January 1976	E/1978/8/Add.20	E/1980/6/Add.1	E/1982/3/Add.13	E/1984/7/Add.17	E/1986/4/Add.17
67. Rwanda	3 January 1976	E/1984/6/Add.4	E/1986/3/Add.1	E/1982/3/Add.42	E/1984/7/Add.29	-
68. Saint Vincent and the Grenadines	9 February 1982	Overdue	Overdue	Overdue	-	-
69. San Marino	18 January 1986	c/	c/	Overdue	-	-
70. Senegal	13 May 1978	Overdue	E/1980/6/Add.13/ Rev.1	E/1982/3/Add.17	-	Overdue
71. Solomon Islands	17 March 1982	Overdue	Overdue	Overdue	-	-
72. Spain	27 July 1977	E/1978/8/Add.26	E/1980/6/Add.28	E/1982/3/Add.22	E/1984/7/Add.2	E/1986/4/Add.6
73. Sri Lanka	11 September 1980	Overdue	Overdue	Overdue	-	-
74. Sudan	18 June 1986	c/	c/	Overdue	-	-
75. Suriname	28 March 1977	Overdue	Overdue	Overdue	-	-
76. Sweden	3 January 1976	E/1978/8/Add.5	E/1980/6/Add.8	E/1982/3/Add.2	E/1984/7/Add.5	E/1986/4/Add.13
77. Syrian Arab Republic	3 January 1976	E/1978/8/Add.25 and 31	E/1980/6/Add.9	Overdue	Overdue	Overdue
78. Togo	24 August 1984	c/	Overdue	Overdue	-	-
79. Trinidad and Tobago	8 March 1979	Overdue	Overdue	Overdue	-	-

State party	Date of entry into force	Articles 6-9		Articles 10-12		Articles 13-15		Articles 6-9		Articles 10-12	
		Initial reports (Due 1/9/77 or 1/9/83) <u>a/</u>	Initial reports (Due 1/9/77 or 1/9/83) <u>a/</u>	Initial reports (Due 1/9/79 or 1/9/85) <u>a/</u>	Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Initial reports (Due 1/9/81 or 1/9/87) <u>a/</u>	Second periodic reports (Due 1/9/83)	Second periodic reports (Due 1/9/83)	Second periodic reports (Due 1/9/86) <u>b/</u>	Second periodic reports (Due 1/9/86) <u>b/</u>
80. Tunisia	3 January 1976	E/1978/8/Add.3	E/1986/3/Add.9	E/1986/3/Add.9	Overdue	Overdue	Overdue	Overdue	Overdue	-	-
81. Uganda	21 April 1987	<u>c/</u>	<u>c/</u>	<u>c/</u>	Overdue	Overdue	Overdue	-	-	-	-
82. Ukrainian SSR	3 January 1976	E/1978/8/Add.22	E/1980/6/Add.24	E/1980/6/Add.24	E/1982/3/Add.4	E/1982/3/Add.4	E/1984/7/Add.9	E/1984/7/Add.9	E/1986/4/Add.5	E/1986/4/Add.5	E/1986/4/Add.5
83. Union of Soviet Socialist Republics	3 January 1976	E/1978/8/Add.16	E/1980/6/Add.17	E/1980/6/Add.17	E/1982/3/Add.1	E/1982/3/Add.1	E/1984/7/Add.7	E/1984/7/Add.7	E/1986/4/Add.14	E/1986/4/Add.14	E/1986/4/Add.14
84. United Kingdom of Great Britain and Northern Ireland	20 August 1976	E/1978/8/Add.9 and 30	E/1980/6/Add.16, and Corr.1, 25 and Corr.1 and 26	E/1980/6/Add.16, and Corr.1, 25 and Corr.1 and 26	E/1982/3/Add.16	E/1982/3/Add.16	E/1984/7/Add.20	E/1984/7/Add.20	E/1986/4/Add.23	E/1986/4/Add.23	E/1986/4/Add.23
85. United Republic of Tanzania	11 September 1976	Overdue	E/1980/6/Add.2	E/1980/6/Add.2	Overdue	Overdue	-	-	Overdue	Overdue	Overdue
86. Uruguay	3 January 1976	Overdue	Overdue	Overdue	Overdue	Overdue	-	-	-	-	-
87. Venezuela	10 August 1978	E/1984/6/Add.1	E/1980/6/Add.38	E/1980/6/Add.38	E/1982/3/Add.33	E/1982/3/Add.33	-	-	Overdue	Overdue	Overdue
88. Viet Nam	24 December 1982	Overdue	Overdue	Overdue	Overdue	Overdue	-	-	-	-	-
89. Yugoslavia	3 January 1976	E/1978/8/Add.35	E/1980/6/Add.30	E/1980/6/Add.30	E/1982/3/Add.39	E/1982/3/Add.39	E/1984/7/Add.10	E/1984/7/Add.10	Overdue	Overdue	Overdue
90. Zaire	1 February 1977	E/1984/6/Add.18	E/1986/3/Add.7	E/1986/3/Add.7	E/1982/3/Add.41	E/1982/3/Add.41	-	-	-	-	-
91. Zambia	10 July 1984	<u>c/</u>	E/1986/3/Add.2	E/1986/3/Add.2	Overdue	Overdue	-	-	-	-	-

a/ Depending on date of entry into force.

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

c/ Not yet due.

d/ Withdrawn.

Annex II

MEMBERSHIP OF THE COMMITTEE ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS

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

Annex III

PROGRAMME BUDGET IMPLICATIONS OF RECOMMENDATIONS CONTAINED IN THE REPORT OF THE COMMITTEE; STATEMENT SUBMITTED BY THE SECRETARY-GENERAL IN ACCORDANCE WITH RULE 31 OF THE RULES OF PROCEDURE OF THE ECONOMIC AND SOCIAL COUNCIL

1. The attention of the Council is drawn to paragraph 356 of the report of the Committee, which states:

"In view of the backlog of reports awaiting consideration and of the number of overdue reports to be submitted, the Committee agreed to request that the Council authorize, on an exceptional basis, an additional week of meetings at its third session or alternatively that it authorize an extraordinary additional session to be held before the end of 1988."

2. In addition, paragraph 361 of the report of the Committee states:

"The Committee also agreed to request the Economic and Social Council to authorize the establishment of a pre-sessional working group composed of five of its members to be appointed by the Chairman to meet for one week prior to each session."

3. In paragraphs 346 and 348 of the report, the Committee noted that its requests would entail financial implications, and it asked that relevant information be presented to the Economic and Social Council. Accordingly the programme budget implications of the requests are contained in the present document.

A. Relationship of the requests to the approved programme of work

4. The activities entailed by the requests would fall under chapter 6 of the medium-term plan, programme: Centre for Human Rights, subprogramme 1: "Implementation of international standards, instruments and procedures", the objects and strategy of which are described in paragraphs 6.20 to 6.23 of the medium-term plan for the period 1984-1989. Programme element 1.1: "Implementing regular supervisory procedures", of section 23, "Human rights", of the programme budget for the biennium 1988-1989 would be directly affected by the requests.

B. Activities by which the requests would be implemented

5. Subject to the approval of the Council, the Committee would hold either a three-week extraordinary additional session in 1988 or one additional week of meetings at its third session in February 1989. In addition, a pre-sessional working group composed of five members of the Committee would be established to meet for one week prior to each session of the Committee.

C. Modifications required in the approved programme of work

6. No modifications would be required in the approved programme of work for the biennium 1988-1989 since the activities are already covered by programme element 1.1. However, should the Council authorize an extraordinary session of the Committee in 1988, the text of output (xvi) of programme element 1.1 would have to be modified to include the additional substantive servicing.

D. Additional requirements at full cost

7. The estimated costs of implementing the two requests contained in the report of the Committee are shown below (see the annex for an itemized account).

1. Request for additional meetings (para. 356 of the report):

Option 1: an extraordinary three-week session of the Committee in 1988

(a) Conference-servicing costs would amount to \$747,000 on a full-cost basis, as itemized in the appendix to the present annex;

(b) Additional travel and subsistence allowance for the 18 members of the Committee would amount to \$91,400.

Option 2: an additional week of meetings at the third session (1989)

(a) Conference-servicing costs would amount to \$133,300 on a full-cost basis, as itemized in the appendix to the present annex;

(b) Additional subsistence allowance for the 18 members of the Committee would amount to \$23,400.

2. Working group to meet prior to each session of the Committee (para. 361 of the report):

(a) Conference-servicing costs in 1989 would amount to \$67,000 on a full-cost basis, as itemized in the appendix to the present annex;

(b) Additional subsistence allowance for five members of the Committee in 1989 would amount to \$6,500.

E. Potential for absorption

8. In accordance with established practice, the conference-servicing costs shown above were calculated on a full-cost basis, for information purposes. However, as indicated in paragraph 29.6 of the programme budget for the biennium 1988-1989 (A/42/6), the requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and are included in the Secretary-General's initial estimates. In other words, provision has been made in the programme budget not only for meetings known at the time of budget preparation but also for meetings that might be authorized subsequently, provided that their number and distribution in this biennium are consistent with the pattern established over the past five years. On that basis, it is estimated that no additional appropriation would be required under section 29 of the programme budget for the biennium 1988-1989 if the Council were to adopt the recommendations contained in paragraphs 356 and 361 of the report of the Committee.

9. If the Council were to establish the Working Group recommended in paragraph 361 of the report, the \$6,500 required for additional subsistence allowance for five members of the Committee in 1989 would be absorbed from within the resources already appropriated under section 23 of the programme budget for the biennium 1988-1989.

F. Net resource requirements

10. With regard to the cost of travel and subsistence for members of the Committee that would arise as a result of the meetings recommended in paragraph 356 of the report, it is estimated that an additional appropriation of \$91,400 would be required if the Council decided to convene an extraordinary three-week session of the Committee in 1988 or, alternatively, an additional appropriation of \$23,400 would be required if the Council were to decide that the Committee could hold one additional week of meetings at its third session in 1989. Should the Council endorse either of the two options recommended by the Committee, it would be the intention of the Secretary-General to submit a request for the relevant additional resources to the General Assembly at its forty-third session.

11. If an extraordinary session of the Committee is convened by the Council in 1988, it would also be necessary for the Secretary-General to obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions in order to enter into the related commitments under the provisions of General Assembly resolution 42/227 of 21 December 1987 on unforeseen and extraordinary expenses for the biennium 1988-1989, since arrangements for the session would have to be undertaken before the General Assembly would have a chance to consider the matter.

Appendix

ITEMIZED COSTS

1. Request for additional meetings (para. 356 of the report)

Option 1: an extraordinary three-week session of the Committee in 1988

	\$
<u>Pre-session documentation</u> (635 pages, 5 documents, languages: Arabic, English, French, Russian, Spanish)	349 500
<u>Meeting servicing</u> (30 meetings) (Interpretation: Arabic, English, French, Russian, Spanish)	100 600
<u>In-session documentation</u> (130 pages, 15 documents, languages: Arabic, English, French, Russian, Spanish)	75 000
<u>Post-session documentation</u> (100 pages, 1 document, languages: Arabic, Chinese, English, French, Russian, Spanish)	67 300
<u>Summary records</u> (30 meetings, languages: English, French, Spanish)	148 500
<u>Requirements of the Office of General Services</u>	<u>6 100</u>
Total	<u>747 000</u>

Option 2: an additional week of meetings at the third session in 1989

	\$
<u>Meeting servicing</u> (10 meetings) (Interpretation: Arabic, English, French, Russian, Spanish)	34 100
<u>In-session documentation</u> (80 pages, 10 documents, languages: Arabic, English, French, Russian, Spanish)	47 100
<u>Summary records</u> (10 meetings, languages: English, French, Spanish)	50 100
<u>Requirements of the Office of General Services</u>	<u>2 000</u>
Total	<u>133 300</u>

2. Working group to meet prior to each session of the Committee (para. 361 of the report)

\$

Meeting servicing (10 meetings)

(Interpretation: Arabic, English, French, Russian,
Spanish)

34 100

In-session documentation

(50 pages, 12 documents, languages: Arabic, English,
French, Russian, Spanish)

31 400

Requirements of the Office of General Services

1 500

Total

67 000

Annex IV

LIST OF DOCUMENTS OF THE COMMITTEE AT ITS SECOND SESSION

A/40/600 and Add.1	Report of the Secretary-General on reporting obligations of States parties to United Nations conventions on human rights
A/41/510	<u>Idem</u>
E/1982/3/Add.37	Initial reports submitted by States parties to the Covenant 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 its resolution 1988 (LX): Austria
E/1982/3/Add.38	<u>Idem</u> : Jordan
E/1982/3/Add.39	<u>Idem</u> : Yugoslavia
E/1982/3/Add.40	<u>Idem</u> : Chile
E/1982/3/Add.41	<u>Idem</u> : Zaire
E/1982/3/Add.42	<u>Idem</u> : Rwanda
E/1982/3/Add.43	<u>Idem</u> : Iran (Islamic Republic of)
E/1982/3/Add.44	<u>Idem</u> : Netherlands
E/1984/6/Add.12	Initial reports submitted by States parties to the Covenant concerning rights covered by articles 6 to 9, in accordance with the first stage of the programme established by the Economic and Social Council in its resolution 1988 (LX): Afghanistan
E/1984/6/Add.17	<u>Idem</u> : Austria
E/1984/6/Add.18	<u>Idem</u> : Zaire
E/1984/6/Add.19	<u>Idem</u> : Panama
E/1984/6/Add.20	<u>Idem</u> : Netherlands
E/1984/7/Add.28	Second periodic reports submitted by States parties to the Covenant concerning rights covered by articles 6 to 9, in accordance with the first stage of the programme established by the Economic and Social Council in its resolution 1988 (LX): Canada
E/1984/7/Add.29	<u>Idem</u> : Rwanda

E/1986/3/Add.7	Initial reports submitted by States parties to the Covenant concerning rights covered by articles 10 to 12, in accordance with Council resolution 1988 (LX): Zaire
E/1986/3/Add.8	<u>Idem</u> : Cameroon
E/1986/3/Add.9	<u>Idem</u> : Tunisia
E/1986/3/Add.10	<u>Idem</u> : France
E/1986/4/Add.2	Second periodic reports submitted by States parties to the Covenant concerning rights covered by articles 10 to 12, in accordance with the second stage of the programme established by the Economic and Social Council in its resolution 1988 (LX): Cyprus
E/1986/4/Add.9	<u>Idem</u> : Mongolia
E/1986/4/Add.13	<u>Idem</u> : Sweden
E/1986/4/Add.16	<u>Idem</u> : Denmark
E/1986/4/Add.17	<u>Idem</u> : Romania
E/1986/4/Add.18	<u>Idem</u> : Chile
E/1986/4/Add.19	<u>Idem</u> : Byelorussian Soviet Socialist Republic
E/1986/4/Add.20	<u>Idem</u> : Bulgaria
E/1986/4/Add.21	<u>Idem</u> : Norway
E/1986/4/Add.22	<u>Idem</u> : Panama
E/1986/4/Add.23	<u>Idem</u> : United Kingdom of Great Britain and Northern Ireland
E/1987/59	Ninth report of the International Labour Organisation under article 18 of the International Covenant on Economic, Social and Cultural Rights, submitted in accordance with Economic and Social Council resolution 1988 (LX)
E/1988/5	Initial reports submitted by States parties to the Covenant concerning rights covered by articles 13 to 15, in accordance with the third stage of the programme established by Economic and Social Council resolution 1988 (LX): note by the Secretary-General

E/1988/6	Tenth report of the International Labour Organisation under article 18 of the International Covenant on Economic, Social and Cultural Rights, submitted in accordance with Economic and Social Council resolution 1988 (LX)
E/1988/7	Second report of the United Nations Educational, Scientific and Cultural Organization under article 18 of the International Covenant on Economic, Social and Cultural Rights, submitted in accordance with Economic and Social Council resolution 1988 (LX)
E/C.12/1987/1	Resolutions and decisions of the Economic and Social Council relating to the implementation of the International Covenant on Economic, Social and Cultural Rights: note by the Secretary-General
E/C.12/1987/2	General guidelines regarding the form and contents of reports to be submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, in accordance with the programme established by Economic and Social Council resolution 1988 (LX): note by the Secretary-General
E/C.12/1987/5	Report of the Committee on Economic, Social and Cultural Rights on its first session
E/C.12/1988/1	Reservations, declarations and objections relating to the International Covenant on Economic, Social and Cultural Rights: note by the Secretary-General
E/C.12/1988/2	States parties to the International Covenant on Economic, Social and Cultural Rights and status of the submission of reports in accordance with the programme established by the Economic and Social Council in resolution 1988 (LX): note by the Secretary-General
E/C.12/1988/3	Provisional agenda and annotations: note by the Secretary-General
E/C.12/1988/L.1	Draft programme of work: note by the Secretary-General
E/C.12/1988/L.1/Rev.1	Tentative programme of work as approved by the Committee at its second meeting
E/C.12/1988/L.2	Provisional agenda for the meeting of persons chairing the supervisory bodies entrusted with the consideration of reports submitted by States parties to United Nations instruments on human rights: note by the Secretary-General

E/1988/NGO/1	Written statement submitted by the Habitat International Coalition, a non-governmental organization included in the Roster
E/1988/NGO/2	Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status category II
E/1988/NGO/3	Written statement submitted by the International Alliance of Women, Soroptimist International, the World Federation of United Nations Associations, and Zonta International, non-governmental organizations in consultative category I, the Co-ordinating Board of Jewish Organizations, the International Association of Democratic Lawyers, the International Council of Jewish Women, the International Federation of Human Rights, the International Federation of Social Workers, the International Movement for Fraternal Union among Races and Peoples, Pax Romana, Socialist International Women, the Women's International Zionist Organization, the World Association of Girl Guides and Girl Scouts, the World Federation of Methodist Women, the World Jewish Congress, and the World Union of Catholic Women's Organizations, non-governmental organizations in category II
E/C.12/1988/SR.1-24	Summary records of the second session (1st to 24th meetings) of the Committee on Economic, Social and Cultural Rights

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