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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC,
SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL
PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS
TO ACHIEVE THESE HUMAN RIGHTS

Report of the Secretary-General

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I. INTRODUCTION

By resolution 1988/22, the Commission on Human Rights appealed to all States to pursue policies directed towards the implementation, promotion and protection of economic, social, cultural, civil and political rights and called upon them to co-operation in promoting social progress and better standards of life in larger freedom. The Commission further requested the Secretary-General to invite Governments, United Nations organs, specialized agencies and non-governmental organizations which had not yet done so to comment on their policies for the implementation, promotion and protection of economic, social and cultural rights, and to submit a report thereon to the Commission at its forty-fifth session.

The present report contains information submitted by Governments, United Nations organs, specialized agencies and non-governmental organizations pursuant to Commission on Human Rights resolution 1988/22. Any additional information will be reproduced as addenda to the present document.

II. INFORMATION RECEIVED FROM GOVERNMENTS

CANADA

[Original: ENGLISH/FRENCH]
[13 September 1988]

The realization of economic, social and cultural rights, as well as of civil and political rights, is a policy of the various Governments in Canada. Canada pledged itself to this goal when it acceded to the International Covenants on Human Rights in 1976.

The reports submitted by Canada pursuant to these Covenants list the measures taken by the Governments to implement their provisions. They contain detailed information on the various measures taken, more specifically in the areas of employment and labour, social security and health, education and culture.

In accordance with the appeal made to all States in paragraph 2 of resolution 1988/22, Canada co-operates with other States in promoting social progress and better standards of life in larger freedom.

The Government of Canada allocates some \$2.5 billion annually, or roughly 0.5 per cent, of the gross national product, to international assistance. Special attention is given to assistance to the least developed countries.

Under a new development assistance strategy adopted by the Canadian Government, development assistance will take account of respect for human rights. The Government will be provided annually with information on the relevant human rights situations to facilitate the determination of appropriate channels for Canadian official development assistance and bilateral allocations for each country. Where there are patterns of systematic, gross and continuous violations of human rights, and where it cannot be ensured that Canadian assistance will reach the people for whom it is intended, assistance to Governments will be refused or reduced. In such circumstances Canadian assistance will be channelled through the Government's development partners at the grass-roots level, such as non-governmental and multilateral organizations, which can ensure that the aid goes directly to the poor in areas where it is most needed.

The Government of Canada has created an International Centre for Human Rights and Democratic Development, which will work closely with Governments, public institutions and non-governmental organizations in developing countries, to help establish and strengthen institutions, programmes and activities that promote internationally recognized human rights.

JAMAICA

[Original: ENGLISH]
[4 October 1988]

Information and comments on the policies of the Government of Jamaica for the implementation, promotion and protection of economic, social and cultural rights are contained in the periodic reports submitted by Jamaica under the International Covenant on Economic, Social and Cultural Rights.

Jamaica submitted reports on the implementation of the rights enshrined in the Covenant in 1981 and 1988.

MADAGASCAR

[Original: FRENCH]
[10 and 31 October 1988]

As part of our economic development policy, the main goals of which are food self-sufficiency, diversification of products for export and improvement of the people's living standard, the Government has adopted a series of measures that include:

- (a) A price incentive policy for agricultural products;
- (b) The raising of salaries and income, together with the reduction of inflation;
- (c) Increased efficiency of the economy as a whole through the implementation of the Investments Code;
- (d) Creation of new jobs;
- (e) Improvement of the social situation. The priorities are the health of the population, quality of education, housing, drinking water supply and urban sanitation.

It should also be pointed out that the recommendations made by the [Working] Group of [Governmental] Experts on the Right to Development are rather encouraging. A gradual strengthening of the right to development would make a further contribution to each citizen's full enjoyment of social, cultural and economic rights.

Ultimately, therefore, the different measures taken bear witness to the Government's will to strengthen and promote development of the fundamental rights recognized for every citizen and also guaranteed by the Constitution.

In the area of cultural rights, the Democratic Republic of Madagascar has enshrined in its Constitution of 31 December 1975 provisions affirming the importance of culture in the nation's development process. Particular mention should be made of article 41 (2) of the Constitution, which stipulates that the State shall assure the equal access of everyone to education, to professional training and to culture, with no restriction other than the individual's aptitude.

It is also stipulated, in article 13 of the same document, that "Fundamental liberties and individual rights shall be guaranteed within the framework of the Charter of the Socialist Revolution". And since the right to culture must be counted among those individual rights, we must also refer to the Charter, which contains a programme of action of principles and goals to be attained in the specific area of culture and art.

How have we given expression to the effective guarantee of these cultural rights provided by the Constitution and the Charter?

As everyone knows, the Ministry of Revolutionary Culture and Art (MCAR) is the central official organ dealing with culture and art. Its establishment, which took place shortly after the institution of the new régime, represents the beginning of the implementation of a new policy in cultural matters.

The characteristic features of this new policy are the following:

(a) Search for means of promoting culture and art and making them more democratic by decentralizing them with a view to broad participation by the masses;

(b) Acquisition of cultural assets in the territory and abroad (restitution);

(c) Establishment within the Department of Culture and Art of the structures needed for carrying out these tasks, principally activities relating to cultural and artistic expression: books, museums, documentation, music and theatre.

Thus, leaving aside the role of the ministerial cabinet, which consists of orienting the Ministry's activities, culture and art are co-ordinated by the Office of the Secretary-General of the central administration, which is composed of three departments, one of which deals basically with culture, the second with art and the last with cultural and artistic popularization. Each department is subdivided into three units. The main occupations are generally activities relating to conservation, cultural and artistic production, popularization, vocational training and leading of activities. Besides these three offices, central services linked to the Office of the Secretary-General have been established for a broader development of culture and art at both the national and international levels.

These structures are extended to the regional level through the provincial revolutionary culture and art services, which apply this approach to the specific conditions found in each region.

It may therefore be stated that in the last 10 years policy in the area of protection and implementation of cultural rights has basically been aimed at democratizing culture at the mass level.

This democratization has taken the following forms:

(a) Construction of a new building for the National Library;

(b) Decentralization of the libraries in 62 Fivondronampokontany (out of the 110 existing ones), in the Piraisampokontany, Fokontany, public and private bodies and youth hostels;

(c) The publication, as at December 1987, of 31 books in Malagasy, French or bilingual editions, whose goal is, in particular, to encourage writers and researchers to produce work that will raise the masses' consciousness of the cultural value of Malagasy traditions, customs, beliefs and ceremonies. Examples are: "Fantaro ny aloalo", "the Tsiny and the Tody", "Vato ambany Riana" (Ratsivalaka A). They may also deal with literary subjects ("Mitaraina ny tany" by Andry Andraina: two editions), sports ("Rygby malagasy"), history ("Tahirin'Antsihanak a"), or politics ("La femme et la politique") and many other subjects of a national or international nature ("Dinan'i Afrika momba ny kolontsaina");

(d) The restoration, reconstruction or rehabilitation of historical sites and monuments, which is financed by the National Fund for the Economic Development of the Republic of Madagascar. The goal is to strengthen the Malagasy cultural identity, promote creativity and safeguard the national heritage. Examples are the restoration of the Ambohimano Church, the Ampamrinana Church, the Andohalo Catholic Church, the Ambodifotatra (St. Mary's) and Fasan-dRainiharo Churches, the reconstruction of the Ilafy Rova, the Antonqona Rova and the Tsinjoarivo Residence and the rehabilitation of the Mananara-Avaratra cemetery, the Mahavelona (Foulpointe) Fort, the Toliary Miary, the sacred Antanavo (Antsiranana) Lake and the four Belobaka (Mahajanga) grottoes.

Mention should also be made of the establishment of a museum at Ambositra talon and the construction of a 1947 stela at Fianarantsoa;

(e) The holding of contests aimed at promoting the public participation in cultural creativity and consciousness-raising, spotting talented young people or unknown talent, encouraging competition among artists and decentralizing culture. Thus, from 1977 to 1987, the Ministry of Revolutionary Culture and Art held 36 different contests, with total prize money of FMG 30,054,000. There were 20 national contests, the remaining 16 being regional contests. The following is a breakdown of the contests by category:

- literature and history	9
- singing and music	7
- painting and drawing	9
- habits and customs	4
- historical sites	3
- miscellaneous	4

	36

(f) The opening of a theatre in the cultural centre of the chief town of the Mahajanga Faritany, an operation costing FMG 1,200,000,000 (construction + external and internal equipment or fittings) and designed for the holding of all types of artistic and cultural events, both local and international (plays, folklore, dancing, variety shows, film shows, concerts), symposia, seminar, round tables and lectures.

(g) The establishment of a Malagasy Royalties Office (OMDA) in response to the revolutionary power's concern to ensure the protection and defence of Malagasy and foreign authors' material and moral interests on an exclusive basis in the national territory and abroad and to promote artistic development. As at 31 December 1987, the breakdown of authors registered with OMDA was as follows:

Lyric authors or composers	407
Literary authors	93
Playwrights	14
Draughtsmen	24

The Office has a cultural and social fund. By the end of 1987, 26 authors over 60 years of age had received a pension allowance;

(h) The organization and grouping of artists and creative persons. This is a large-scale, long-term undertaking since the formation of associations of artists by discipline to foster concerted activities involving the artists, the public authorities and the population cannot be effected overnight without ongoing mobilization and certain methods of organization. Such groupings should enable creative artists to have a better technical mastery of their craft and provide them with better financial and material assistance.

Consequently, it may be stated that the policy of implementation and protection of cultural rights is beginning to bear fruit in the Democratic Republic of Madagascar at a time when the World Decade for Cultural Development (1988-1997), in which we are participating, is beginning.

In this context, mention may be made of the following achievements of the Ministry of Revolutionary Art and Culture:

(a) Exhibition on "Women authors and researchers" (8 March 1988);

(b) Participation in the International Literacy Year, sponsored by UNESCO (September 1988-August 1989), whose goal is to stimulate the desire to read and the popularization of books, the target population being young people. To this end, the works of Rabearivelo (Mahajanga, Fianarantsoa, Antananarivo) and Dox have been disseminated.

(c) Exhibition on "Malagasy musical instruments";

(d) Exhibition on comic-strips;

(e) Lecture on fine arts in Algeria;

(f) Lecture on the modern plastic arts;

(g) Plastic arts workshop.

There is currently a better appreciation of cultural and artistic values at the mass level and a greater mobilization among most creative artists, who do not hesitate to co-operate with the relevant officials at the Ministry of Revolutionary Culture and Art (MCAR).

There is also an increasing enthusiasm among young people for satisfying their intellectual desire and expressing their innate artistic talents. This explains the high number of readers in nearly all public libraries, which are literally submerged, in the music instruction centres of all the Paritany and at the beginners' workshops organized every year by the department during Culture Week.

POLAND

[Original: ENGLISH]

[17 October 1988]

Poland, being a party to the International Covenant on Economic, Social and Cultural Rights, systematically provides the Centre for Human Rights with reports on economic, social and cultural rights, prepared in accordance with the requirements of the above-mentioned Covenant. In these circumstances, it seems unnecessary to submit another Polish report on this subject.

III. INFORMATION RECEIVED FROM UNITED NATIONS ORGANS

CENTRE AGAINST APARTHEID

[Original: English]
[23 September 1988]

All the efforts of the Special Committee against Apartheid are geared towards the eradication of the criminal system of apartheid, under which the oppressed people of South Africa are deprived of all their basic human rights and freedoms, including their economic, social and cultural rights. This flagrant violation of their fundamental human rights and freedoms is inherent in the policy of apartheid, the elimination of which is imperative so that the oppressed people may enjoy the exercise of their full rights and freedoms.

The annual reports of the Special Committee against Apartheid, submitted to the General Assembly and the Security Council, give a full picture of our efforts aimed at the elimination of the evil system of apartheid.

COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

[Original: English]
[6 July 1988]

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has repeatedly expressed its concern at the policies and practices of Israel, the occupying Power, in the occupied Palestinian territories. The Committee, *inter alia*, has been gravely concerned at the fact that the Israeli authorities have continued to take administrative, economic and other measures to entrench further their control over the occupied territories, thereby impeding their autonomous development. The most recent statement by the Committee on this issue is contained in its report to the forty-second session of the General Assembly. 1/

DEPARTMENT OF INTERNATIONAL ECONOMIC AND SOCIAL AFFAIRS

[Original: English]
[11 August 1988]

The World Economic Survey 1988 prepared by the Department contains an annex giving a broad overview of several important indicators on the economic attainment of women. As a result of its favourable reception by the most recent session of the Economic and Social Council and the discussions it provoked, we have been asked to provide further studies on the economic aspects of the situation of women and their contribution to economic development. We are confident that they will be relevant to the discussion of equality of opportunity and the advancement of women. A copy of the World Economic Survey 1988 (E/1988/50-ST/ESA/205) is available for consultation in the Secretariat files.

UNITED NATIONS DEVELOPMENT PROGRAMME

[Original: English]
[8 September 1988]

UNDP attaches a programme information profile which shows \$111,088,000 in UNDP financing over recent years, and a total of 185 projects bearing on this objective. A copy of the Programme is available for consultation in the Secretariat files.

UNITED NATIONS FUND FOR POPULATION ACTIVITIES

[Original: English]
[19 July 1988]

All UNFPA work is directed towards the achievement of economic and social development. In addition, in developing the programmes to be supported, special emphasis is put on respecting the cultural setting. For example, many family planning and education programmes start with a socio-cultural study, to be used as a basis for the determination of the final content of the programmes.

In this context, it should also be noted that two of the main principles guiding the work of UNFPA - free choice and voluntarism - are contained in paragraph 16 of the Proclamation of Teheran adopted by the International Conference on Human Rights on 13 May 1968 2/ and in paragraph 14 of the 1974 World Population Plan of Action (WPPA). 3/ Paragraph 14 (f) of the WPPA recognizes the basic right of all couples and individuals to decide freely and responsibly the number and spacing of their children. Well over half of the Fund's resources are used to provide the information and the means needed for the exercise of this right. Moreover, as a matter of course, UNFPA fully supports voluntarism in family planning and does not fund any programme or project that is coercive or involuntary.

The Proclamation of Teheran adopted by the International Conference on Human Rights, in paragraph 15, refers to the need to improve the status of women. To this end, UNFPA has developed a strategy for ensuring that all population programmes it funds involve and benefit women to the maximum extent.

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

[Original: French]
[7 June 1988]

This question is of crucial interest to the Office of the United Nations High Commissioner for Refugees. The protection of refugees' rights certainly includes the promotion of their economic, social and cultural rights in conformity with the letter and spirit of the 1951 Convention. Because of the interdependency between protection and the search for durable solutions to the refugees' problems, this question is of paramount importance to UNHCR.

The gradual achievement of these rights, in the framework of the durable solutions traditionally implemented by UNHCR - integration of the refugees into the communities of the countries of reception, through settlement or resettlement, and re-insertion into their country of origin through voluntary

repatriation - can be considered to be part of protection, inasmuch as these rights contribute overwhelmingly to providing the refugees with treatment that is in keeping with internationally recognized principles and norms in the field.

The assistance programmes financed by UNHCR, therefore, generally contain elements designed primarily to provide refugees with the economic, social and cultural rights provided by the Convention relating to the Status of Refugees of 28 July 1951. However, it goes without saying that the effective enjoyment of these rights depends on the measures taken by the Governments concerned to give them substance. To that end, it is essential for there to be close co-operation between the Governments of the countries of reception and UNHCR. It is against this background, and taking into account the problems encountered in certain cases, that UNHCR aims its efforts towards Governments that have not adopted measures for achieving these rights, or, when those rights are stipulated by internal provisions, invites the Governments to raise the obstacles and restrictions preventing them from being effectively applied.

IV. INFORMATION RECEIVED FROM SPECIALIZED AGENCIES

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

[Original: English]
[27 July 1988]

In 1989 UNESCO will organize an international meeting of experts (category VI) to discuss, from a multidisciplinary point of view, the matters falling within its competence which relate to the implementation of the two International Covenants on Human Rights of 1966 and, in particular, to that of the International Covenant on Economic, Social and Cultural Rights.

For further information, a copy of the draft report on progress made in achieving the observance of the provisions of the International Covenant on Economic, Social and Cultural Rights, falling within the scope of the Organization's activities prepared by UNESCO was addressed to the United Nations Secretariat for consideration by the Committee on Economic, Social and Cultural Rights. The draft report (127 EX/43) is available for consultation in the Secretariat files.

UNIVERSAL POSTAL UNION

[Original: French]
[27 June 1988]

The UPU has been closely following the development of this matter, since UPU's activity, which is aimed at developing communications through effective functioning of the postal services, thus contributes to the achievement of the goals of international co-operation in the cultural, social and economic fields.

V. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

FOUR DIRECTIONS COUNCIL

[Original: English]
[12 July 1988]

Our views on this question were previously set out in document E/CN.4/1987/NGO/68 in which we suggested, based upon the practice and experience of the former Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, and on the principles contained in the Declaration on the Right to Development, that State measures for the progressive realization of these rights should focus on particularly vulnerable cultural and geographic groupings such as minorities and indigenous peoples in isolated and underdeveloped regions. It is fundamental, in accordance with the Covenant, to avoid discrimination in the enjoyment or achievement of economic, social and cultural rights. This necessitates action at an early stage to equalize the participation and empowerment of all groups within national society.

We recently reviewed the work of the Committee on the Elimination of Racial Discrimination since 1980. Members of that Committee frequently asked States parties for information on positive action taken to equalize the participation and empowerment of vulnerable groups, explaining that ethnic differences often coincided with economic and social discrimination, especially in those areas where ethnic groups were concentrated. Regarding 74 per cent of the 270 reports examined by the Committee since 1980, members asked specifically about minorities. Regarding 39 per cent of reports, information was sought on non-nationals, and regarding 24 per cent of reports, on indigenous or tribal peoples.

With regard to 45 per cent of these 270 reports, the Committee asked whether minority or indigenous persons were as well schooled as others; with regard to 37 per cent of reports, whether such persons were comparably employed; regarding 30 per cent of reports, whether they were equally represented in national political institutions and the civil service; and with regard to 14 per cent of reports, whether they had comparable land rights.

It is clear from our study of the recent work of the Committee on the Elimination of Racial Discrimination - which will be published in a forthcoming issue of Acta Sociologica - that racial discrimination as defined in article 2, paragraph 2 of the International Convention on the Elimination of All Forms of Racial Discrimination (1) includes in particular ethnic and indigenous groups; and (2) can be implied from disparities in the enjoyment of economic and social rights.

We accordingly feel that all States should take particular care (1) to identify and monitor the changing economic and social conditions of minorities and indigenous peoples; and (2) to include in all programmes for economic and social development specific and effective measures to address disparities in the enjoyment of these rights among different sections of national society.

RADDA BARNEN

[Original: English]
[12 July 1988]

1. Rädda Barnen is a human rights organization working for the fulfilment of the needs of children. We regard economic, social and cultural rights as no less important than civil and political rights. In fact, we see these categories of rights as indivisible and interdependent.
2. We welcome the efforts by the United Nations to develop an approach to economic, social and cultural rights which will make it possible to discuss their implementation in more operative terms.
3. A major effort should be made to define obligations in relation to economic and social rights so that State responsibility in relation to them will be more clear than at present. This, of course, is a massive but important undertaking. It has to be recognized that at least for some of the broader economic and social rights the obligations will have to be defined in terms of demonstrated political will to explore the needs, discuss remedies and formulate plans.
4. The United Nations development agencies should be involved in this process to a larger extent. The gap between the human rights programme and the development aid programme within the United Nations is still striking. The aim for United Nations development efforts should be to help implement human rights, not least (though not exclusively) the economic and social rights.
5. Rädda Barnen itself works for children's rights with emphasis on child health and for the protection of children in especially difficult circumstances, like refugee children, street children and disabled children. It combines concrete development aid projects (some 20 to 25 million dollars a year) with participation in standard setting work and advocacy of the rights of the child.

WORLD CONFEDERATION OF LABOUR

[Original: French]
[17 October 1988]

The achievement of economic, social and cultural rights has always been a major concern for the World Confederation of Labour, a concern expressed in its declaration of principles, which states that the WCL, as an international movement of workers' trade-union organizations, fights for the creation of economic, social, cultural and political institutions that will ensure the full development of each and every man within a mutually supportive human community, in a spirit of freedom, dignity, justice and universal brotherhood.

This concern was also very much in evidence at the latest Congress of the World Confederation of Labour, held at Baden (Austria) in October 1985. The policy resolution ("Building a new society") adopted by the Congress, includes the following:

"The WCL demands individual and collective rights and liberties and social and economic rights for each and every human being, particularly:

- The right to life and physical integrity - including abolition of the death penalty and any prison system based on attacking the prisoner's dignity, together with the prohibition of torture.
- The right to guaranteed means of a decent existence in all circumstances and the right to an adequate and sufficient diet and to elementary health care.
- The right to social and legal equality, removing all forms of discrimination against human beings based on race, colour or ethnic origin, religion, physical disadvantages or age differences, ideological or political reasons or any other prejudice which could strike a blow at the notion of equality in the dignity of any person.
- The right to a job and an income allowing a decent standard of living.
- Freedom of thought and speech.
- Freedom of assembly and association, without this being subject to any prior administrative and restrictive constraints while stipulating that it has to leave the field clear for the practice of democratic participation and social responsibility.
- The right to ownership with 'both its personal and social character, whatever the structures of society' (Declaration of Principles).
- The right to peace and democracy.
- The right of peoples to self-determination and to dispose of a national territory.
- The right to personal and collective development for individuals and peoples.
- The right to the satisfaction of needs and the construction of society through active management of all aspects of social life.
- The right to express oneself and live in one's own culture.
- The right to information, schooling, education, vocation training and further education."

In the current economic and social situation, indebtedness is a crucial problem: a threat to social and economic development in the third world, the sword of Damocles that is threatening the democratization process in many countries.

In April 1987 the WCL, anxious to contribute by every possible means to resolving this serious political problem of our time, met in Washington with IMF and World Bank officials to draw their attention to the heavy burden that indebtedness represents for the third world countries in particular and to present solutions.

The WCL reiterates that it is not possible to pay back the external debt and that this issue cannot be separated from the problem of economic and social development and the strengthening of democracy. The debt is in reality a political problem, contracted illegitimately in a large number of cases and currently posed in terms of unreasonable policies that are morally unacceptable and impossible to implement economically speaking.

The WCL confirms its support for the resumption of the North-South dialogue with a view to considering a reform of the current international social and economic order and encouraging the organization, as soon as possible, of a conference at the highest political level, in the framework of the United Nations and with the participation of workers' organizations.

The WCL has devoted one issue of its reviews, Labor and Events, to this question. A copy of each of these publications is available in the Secretariat for those who might wish to consult them.

The World Confederation of Labour also spoke at the forty-fourth session of the Commission on Human Rights, in particular on agenda item 8.

The WCL also raises the question of how the right to development and the effective enjoyment in all countries of economic, social and cultural rights is to be made a reality when astronomical sums are allocated to weapons and war and when current economic and financial relations prevent the dominated countries from taking effective responsibility for their development and freely disposing of their wealth and resources.

The WCL also regularly publishes information in Labor, a monthly review, and Flash, which appears twice a month. A few issues published in 1988 have been received and are available for consultation in the Secretariat files.

Notes

1/ Official Records of the General Assembly, Forty-second Session, Supplement No. 35 (A/42/35), paras. 18-28.

2/ United Nations publication, Sales No. E.68.XIV.2.

3/ Ibid., Sales No. E.75.XIII.3.