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THE WIDENING GAP

A study of the realization of economic, social
and cultural rights

by

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PART THREE. SOCIALIST COUNTRIES OF EASTERN EUROPE*

* This part of the report treats only of conditions in all the socialist countries of Eastern Europe, except Albania, for which sufficient information was not available from the United Nations, the specialized agencies or other statistical sources. For the same reason, socialist countries elsewhere in the world have been omitted from this study.

NOTE

The designations employed and the presentation of the material in this document do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country or territory or of its authorities, or concerning the delimitation of its frontiers.

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INTRODUCTION

1. In old-established nation States where social evolution has proceeded without abrupt change, governmental responsibility for the rights of individual citizens has emerged gradually in the wake of humanitarian philosophies and sporadic acts of self-assertion on the part of social or occupational groups. It has realized itself in the main through a piecemeal grafting of safeguards and new commitments onto a pre-existing stratum of governmental functions inherited from the past. Younger nation States and those created by a radical breaking away from a rejected past have generally regarded this responsibility as the basic condition which legitimized their existence and from which all their other functions should be seen to derive.
2. While it may have been recognized that not all the rights aspired to could be implemented at every point in time without prejudicing the economic advance essential to their permanent entrenchment, it was still thought desirable to proclaim them publicly as an act of faith and dedication, rather than leave them undefined. To the extent that material and economic progress rendered their attainment possible the proclamations took on the character of firm guarantees.
3. The scope of the individual rights so covered, at first confined to personal and political freedoms, has reached its maximum in the case of socialist countries, where it covers economic, social, and cultural rights with the same explicitness as those in the moral and political sphere and where the great majority of these, as was observed in part one, are enshrined in the fundamental laws of the nation.
4. Accordingly, the prime sources for a listing and definition of the individual rights for which socialist Governments claim responsibility are their written Constitutions and derivative instruments (law codes, labour codes, model charters etc.). In addition, however, socialist States, by their very nature, accept responsibility for the planning, administration, and management of their economies, and do so with the declared intention of safeguarding these rights to the fullest extent compatible with the advance towards communism. Accordingly, a second source, bearing mainly on implementation, are the economic plans and current ordinances of socialist States and the official reports on their fulfilment. Finally, however, an exhaustive investigation must also deal with information on obstacles, failures in implementation, infirmity of purpose or perversion of aims which socialist communities, in common with all human societies, experience as impediments or threats to the exercise of individual rights. The source material for this information is inevitably dispersed. Primary reliance must be placed on disclosures, complaints and case studies publicized in the affected countries themselves, but critical reports, comparative studies and even speculation by outside observers may sometimes be acceptable in supplementation, provided they can be traced to scholarly research in the interests of truth.
5. Historically the majority of socialist States have had to base their economies on inherited levels which were lower than those of the most developed countries of the day. They therefore rightly stress the importance of comparative growth rates,

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as well as comparative levels, as proper measures for their achievements. To the extent that interest focuses on current realization, however, the survey must insist on comparative levels, even though these are not documented as fully or incontrovertibly as rates of progress through time. None the less, growth-rates remain important, both for their intrinsic contributions to the welfare of man as a forward-looking being and as a measure of achievement in relation to economic potential.

6. The relative significance of growth comparisons and comparisons of current levels should, however, vary as between one class of human rights and another. High levels in the fulfilment of some rights may be a precondition for high growth rates in the fulfilment of all, while prematurely high levels in the fulfilment of others may be injurious to growth all round. The survey will attempt to vary its emphasis accordingly and avoid making a fetish of either growth rates or comparative levels.

7. As the first pioneer in the building of a socialist State the Union of Soviet Socialist Republics has naturally served as a model for many countries whose socialist statehood is of more recent origin. This part of the report, therefore, will need to place much emphasis on developments and conditions in that country. There are, however, significant departures from the model in particular socialist States which must be investigated in their own rights.

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Chapter I

THE RIGHT TO WORK

8. The prevailing employment concept in socialist countries derives from the Marxian vision of a transformed society from which unemployment is banned forever, not merely because it devalues the human person but also because it implies a reserve army of labour pressing upon the living standards of those in employment through competition for jobs. Socialist States therefore go beyond the proclamation of the right of citizens to work and insist that this right be formally guaranteed at all times. This guarantee is to be honoured by the exertion of sufficient and steady demand on productive resources through state economic planning for consumption, investment and defence..

9. In most European socialist countries, economic planning, with varying degrees of centralization, has indeed been the corner-stone of full employment policies, and lapses from full employment - to the extent that they have occurred - must be ascribed to structural imbalances and planning errors rather than over-all deficiencies in demand.

10. A partial exception to this is Yugoslavia, where nation-wide planning is no longer the prime mover of the economy and where the principles of self-management and production for the market have been accorded precedence over those of over-all direction. Here unemployment is recognized as a fact of economic life, its extent is subject to regular statistical reporting and unemployment benefits are an integral part of social legislation. The unemployment situation is also relieved by temporary or permanent contracts for work abroad.

11. In Yugoslavia, the number of "applicants for work and placement" reported by the Federal Employment Bureau was given as 26,600 in 1953. It then rose rapidly to a peak of 174,000 in the 1950s (1958) and, after receding somewhat in the early 1960s, to a new peak of 327,000 in 1968, after which a decline to 290,000 was recorded in 1971. The average number during the 1960s was 262,000, of which 124,000 were women and 108,000 new entrants to the labour force. 1/

12. The Soviet Union recorded the following unemployment figures, based on Labour Exchange returns, for a number of early years: 2/

	<u>1 April</u>	<u>1 October</u>
1928	1,576,000	1,365,000
1929	1,741,000	1,242,000
1930	1,081,000	240,000

The source then goes on to say that unemployment was completely liquidated in 1931. 2/

1/ Statistički Godišnjak FNRJ 1953, p. 114; 1966 p. 107; and 1972 p. 99.

2/ Trud v SSSR, Moscow 1968, p. 23.

13. No other socialist country of eastern Europe records unemployment figures in its regular statistics, in conformity with official statements that unemployment does not exist. 3/

14. In support of these statements, the countries concerned can point to employment records in the vanguard of world experience as far as the level and growth of participation rates are concerned (proportion of men and women employed). The table below shows that in all cases employment (other than participating membership of producer co-operatives and collective farms) has grown considerably faster than population and that in all countries except Yugoslavia, the participation rate of women in the labour force is swiftly approaching that of men.

15. It should be noted, however, that the figures include the effects of the fast absorption into the wage-paying sectors of workers previously occupied outside them, e.g. in co-operative or private agriculture.

3/ Poland reported a monthly average of 60,900 persons (0.6 per cent of total employment) on the books of employment exchanges in 1966, with a corresponding total of 61,900 (0.58 per cent of employment) in 1969. These figures, however, must be set against average monthly vacancies of 125,400 and 111,400 in the two years respectively (Yearbook on Human Rights for 1966, (United Nations sales publication, No. E.69.XIV.1), p. 297, and E/CN.4/1023/Add.1, p. 10).

	Population ^{e/} (annual average)		Employment ^{b/} (at year end)		Approximate percentage employed ^{c/} Total (%)	Women (%)
	Total (thousands)	Women (thousands)	Total (thousands)	Women (% of total)		
Bulgaria	1950	7,520	3,626	..	..	..
	1960	7,867	3,940	572	32.1	14
	1970	8,490	4,246	1,172	42.5	28
Czechoslovakia	1950	13,093	6,715	1,584	36.9	24
	1960	13,654	6,992	1,978	39.8	28
	1970	14,334	7,350	2,826	45.7	38
German Democratic Republic	1950	18,388	10,227	1,054	32.6	10
	1960	17,241	9,480 ^{d/}	2,514	44.4	26
	1970	17,058 ^{d/}	9,207 ^{d/}	2,988	48.6	32
Hungary	1950	9,338	4,844	580	24.2	8
	1960	9,984	5,168	917	32.5	18
	1970	10,329	5,332	1,523	42.8	29
Poland	1950	24,824	12,994	1,502	30.6	12
	1960	29,561	15,260	2,377	33.1	16
	1970	32,473	16,696	3,870	39.7	23
Romania	1950	15,873 ^{e/}	8,201 ^{e/}	2,123 ^{f/}	..	..
	1960	18,407	9,424	870	26.9	9
	1970	20,250	10,307	1,523	30.2	15
USSR	1940	194,100 ^{f/}	101,100 ^{f/}	11,978 ^{k/}	30	12
	1950	180,075	100,931	19,180	47	19
	1960	214,329	117,344	29,250	47	25
1970	242,768	130,814	90,200	51	35	
Yugoslavia ^{g/}	1948	15,772	8,190	..	..	..
	1961	18,549	9,506	3,170 ^{h/}	..	17 ^{h/}
	1971	20,504	10,414	1,245 ^{h/}	31.6 ^{h/}	20 ^{h/}

a/ Statisticheski ezhgodnik stran SEV 1971, pp. 6-7.

b/ Ibid. pp. 306-307; the figures for Hungary and the USSR are annual averages.

c/ Computed from previous columns. The approximative nature of the figures arises from the fact that yearly averages were, in most cases, combined with end- or mid-year figures as if they had the same time-reference.

d/ Mid-year figures.

e/ Refers to census data of 25 January 1948; Razvitie ekonomiki stran narodnoy demokratii, Moscow 1961, p. 365.

f/ Refers to 1 January 1940; Strana Sovetov za 50 let, Moscow 1961, p. 15.

g/ Statisticheski Godišnjak Jugoslavije, 1972, pp. 77 and 91.

h/ Excludes employment in agricultural co-operatives; same source as note e/, p. 9.

i/ Same source as note f/, p. 218.

j/ Employment figures exclude apprentices and employment in the private sector. Statistički Godišnjak Jugoslavije, 1971, p. 85, and 1972, p. 91.

k/ Zhenshchina v SSSR, Moscow 1960, p. 31.

16. In the early stages of socialist planning, one of the most important objectives of government was the transformation of largely agricultural into industrial societies, with the attendant transfer of rural manpower to the towns. Only Czechoslovakia and the German Democratic Republic were partial exceptions to this, as industrialization in these countries was already well advanced when socialist planning began.

17. The speed of industrialization in eastern Europe, compared with developments in certain western countries, may be gauged from the following table:

	<u>Percentage of population</u> <u>in rural areas a/</u>		<u>Industrial employment:</u> <u>average annual growth</u> <u>rate (%) b/</u>	
	<u>early 1950s</u>	<u>late 1960s</u>	<u>during 1950s</u>	<u>during 1960s</u>
Bulgaria	72.5	47.0	7.5	4.8
Czechoslovakia	48.4	37.7	2.7	2.0
German Dem. Rep.	29.1	26.3	0.6	-0.1
Hungary	62.2	54.3	4.8	3.0
Poland	63.1	47.7	4.0	3.5
Romania	74.8	59.1	3.8	4.7
USSR*	59.8	43.0	2.8	3.4
Yugoslavia ^{c/}	81.5	71.6**	4.0	2.8
United States ^{c/}	36.0	30.1**	0.1	1.9
United Kingdom ^{c/}	20.9	22.7	0.7	-0.2
France ^{c/}	41.4	30.0	0.1	0.5

* The greatest spurt in industrialization in the USSR occurred between the census years 1926 and 1939, when the percentage of the population in rural areas fell from 82 to 67 per cent and industrial employment more than doubled in seven years (1928 to 1935). d/

** Early 1960s.

a/ Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 10.

b/ La région de la CEE en chiffres, New York, 1972, p. 10.

c/ Ibid., p. 7.

d/ Sotsialisticheskoe stroitel'stvo SSSR, Moscow 1936, p. 7, and Narodnoe khozyaystvo SSSR v 1968 g., p. 9.

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18. Such rapid developments demanded a massive build-up of industrial fixed capital. Hence there was little doubt concerning the main direction in which the economy was to move. The planned exertion of demand on productive resources could take the form of industrial investment for the equipment of new industries, themselves largely geared to the production of further industrial capital.

19. In these conditions, full employment presented few problems. ^{4/} Indeed, during the early five-year plans in the USSR the ambitious output targets for industry, construction and transport frequently resulted in competitive bidding for labour on the part of individual enterprises and a consequent inflation of money wages. The main problem at the time was the maintenance of adequate living standards, particularly in agriculture, in the face of massive agricultural reorganization, deficient housing and the pre-empting of resources for the industrial investment effort. In this way, some conflict may have arisen between the right to employment as such and the right to payment for work in accordance with its quantity and quality, both of which are guaranteed by the Constitution.

20. The crucial dependence of the first plans for industrialization on food supplies from the country induced a policy of agricultural reorganization (collectivization, state farming etc.), which some sections of the population resented as a divorcement from a traditional way of life, and others as a fatal attack on their vested interests. To the extent that dissidents and resisters had to be overruled or disciplined, there were, in that period, recognized derogations from the rights of individuals to the free choice of employment, to rest and leisure and to equal pay for equal work. This applies primarily to the USSR as the pioneer in this type of industrialization during the period of "socialism in one country". Other countries were able to make the transition with less disruption. Yet others, notably Poland and Yugoslavia, opted eventually for a predominantly private system of farming.

^{4/} This is not to say that legislation did not specifically concern itself with the right to work. Indeed, in the USSR, the first Labour Code, promulgated as early as 10 December 1918, gave specific guarantees regarding this right. So did the subsequent Labour Code of 1922.

21. The table below compares socialist countries in respect of their degree of collectivization and direct State management of agriculture.

	Percentage of total agricultural land outside the State and co-operative sectors (private farms and plots)*			Percentage of large-horned cattle privately owned (1970)	
	<u>1955</u> ^{a/}	<u>1960</u> ^{b/}	<u>1970</u> ^{b/}	total private ownership c/	of which: owned by non-members of collective farms c/
Bulgaria	36.7	9.1	10.7	25.6	9.2
Czechoslovakia	57.4	17.6	14.9	13.9	9.0
German Dem Rep.	72.7	19.1	13.7	17.6	1.1
Hungary	68.0	32.1	17.0	38.4	7.5
Poland	77.3	87.3	84.4	82.9	82.7
Romania	65.3	20.4	15.8	45.2	15.9
USSR	5.0 ^{d/}	3.3 ^{d/}	3.2 ^{d/}	25.1	12.0
Yugoslavia	92.4**	89.6 ^{e/}	85.3 ^{e/}	91.5 ^{f/}	91.5 ^{f/}

* Including private plots of collective farms.

** 1956.

a/ Razvitie ekonomiki stran narodnoy demokratii Evropy i Azii, Moscow 1961, pp. 44-45.

b/ Statisticheskii ezhegodnik stran SEV 1971, pp. 194-195.

c/ Ibid., pp. 241 and 245.

d/ Refers to sown area only, in 1950, 1960 and 1966, Strana Sovetov za 50 let, Moscow 1957.

e/ Individual holdings (cultivable area), Statistički Godišnjak Jugoslavije 1972, p. 130.

f/ All livestock; ibid., p. 130.

22. Substantial progress in the process of industrialization enabled socialist states in later stages to implement more fully the rights relating to conditions of work, leisure and favourable remuneration. At the same time, the nearing completion of the absorption process of the rural surplus population in productive activity had made further material progress increasingly dependent on the growth of agricultural productivity and thereby created the need for a reorientation of policy towards agriculture, both in capital investment and in incentives. This went a long way towards eliminating previous infringements of the right to equal pay for equal work which had involved discrimination between industrial and agricultural labour.

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23. The same exhaustion of the rural surplus population in its role as a labour reservoir for recruitment into urban occupations made industrial performance increasingly dependent on the growing skill, efficiency and capacity for innovation of those already in industry. To the extent that the development and exercise of these qualities demanded increasing incentives and therefore a fuller implementation of the rights to favourable conditions of life and work, economic policy began to edge away from the previous emphasis on the investment effort and to reorient itself, if only partially, towards consumption. The demands of present consumption and future growth, which for so long had presented themselves as rival claimants for scarce resources in the short and medium run, came to be seen as mutually reinforcing claims. It was recognized that measures to increase consumption could promote future growth as effectively - or even more so - than measures to curtail it in the interests of greater investment. Thanks to this transformation in economic climate, the more advanced socialist countries are now within sight of overcoming the short-term conflict between individual rights and the strategic demands of economic development.

24. The table below illustrates the reorientation of economic policy in the wake of progress towards greater economic maturity since the middle 1950s. Growth rates tended to fall with the greater size and complexity of the economy and with increased emphasis on quality, while the maintenance (or achievement) of high growth rates in agriculture did, in general, require more controlled expansion in producer goods industries and some narrowing of the gap between producer- and consumer-goods industries. In the case of Hungary and Czechoslovakia, this gap has even been reversed. In the case of the USSR it also went into reverse during 1969 and 1970 with growth rates in producer goods industries of 6.9 and 8.2 per cent compared with 7.2 and 8.5 per cent in consumer goods.

25. The reorientation of policy referred to above does, however, present some problems relating to the internal composition of the national output, its adaptability to shifting consumer demand and its possible rejection by final buyers who are now able to exercise a wider choice. This in conjunction with streamlining and modernization, which often takes on labour-saving forms, may, on occasion, present temporary threats to the right of everyone to full-time productive employment. While there is little doubt that the socialist countries are equipped to deal with this situation, it does create new problems which must be allowed for and mitigated in short-term economic planning. To this extent the implementation of the universal right to productive employment is no longer the automatic concomitant of economic planning geared to the fastest possible growth in output and may require separate attention as an independent objective.

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Average annual growth in gross output (%)*

		1951-1955	1956-1960	1961-1965	1966-1970
Bulgaria	Prod. Ind.	17.7	18.1	14.1	12.0
	Cons. Ind.	10.8	13.9	9.4	9.9
	Agriculture	6.5	5.7	3.2	3.4
Czecho- slovakia	Prod. Ind.	13.5	11.8	5.7	7.1
	Cons. Ind.	7.9	8.6	4.6	8.3
	Agriculture	1.2	1.6	-0.6	4.9
German Democratic Republic	Prod. Ind.	n.a.	9.0	6.3	7.1
	Cons. Ind.	n.a.	9.0	4.9	5.1
	Agriculture	7.6	2.8	0.8	1.6
Hungary	Prod. Ind.	21.6**	12.7***	7.7	5.9
	Cons. Ind.	18.4**	10.5***	8.0	7.1
	Agriculture	3.4	0.4	1.2	2.9
Poland	Prod. Ind.	18.2	10.8	9.7	9.5
	Cons. Ind.	13.9	8.8	6.5	6.5
	Agriculture	1.0	3.7	2.8	1.8
Romania	Prod. Ind.	16.8	12.8	15.7	13.1
	Cons. Ind.	13.1	8.4	10.5	9.6
	Agriculture	10.1	1.2	2.5	1.9
USSR	Prod. Ind.	13.8	10.7	9.6	8.6
	Cons. Ind.	12.0	8.2	6.4	8.3
	Agriculture	4.1	6.1	2.3	3.9
Yugoslavia	Industry		13.3 ⁺	10.5 ⁺	6.2 ⁺
	Agriculture		4.6 ⁺	1.2 ⁺	3.2 ⁺

* Producer and consumer industries are those referred to as Industry "A" and Industry "B" in official statistics. The data were computed from Statisticheskii ezhegodnik stran; chlenov SEV 1971, pp. 21-28.

** 1950-1955. Computed from data for individual industries weighted in proportion to wage bills, as given in Razvitie nar. khoz. Vengerskoy Narodnoy Respubliki, Moscow 1957, pp. 27 and 30.

*** 1958-1960.

+ Computed from Statistički Godišnjak Jugoslavije 1971, pp. 126 and 153.

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A. THE RIGHT TO FREE CHOICE OF EMPLOYMENT

26. Article 118 of the 1936 Soviet Constitution (left unaltered by the amendments of 1947) guarantees citizens employment and payment for their work in accordance with its quantity and quality. This provision is repeated in the Constitutions of the constituent Republics of the USSR. 5/ The Constitutions state, in addition, that the right to work is ensured by the socialist organization of the economy, the growth of productive forces and the abolition of unemployment.

27. The right to work and to remuneration in accordance with the quantity and quality of work is, as we have already surveyed in part I of the report, also proclaimed and guaranteed in the Constitutions of other socialist countries. 6/ The implementation of these rights is in all cases governed by the national Labour Codes and by various regulations and ordinances promulgated in pursuance of its provisions.

28. In all socialist countries of eastern Europe other than Yugoslavia, the State, through its planning organs, accepts responsibility for the maintenance of full employment. In the case of Poland, for instance, it is stated that the long-term and annual plans adopted by the Councils of Ministers and the Sejm make provision for the creation of enough new jobs to meet the anticipated increase in the labour force and to absorb additional job-seekers wishing to join it (previously non-working women, farmers moving into towns, etc.). 7/ Similar statements are made in the publications and submissions of other socialist countries of eastern Europe.

29. For young people entering the labour force for the first time there are career advisory services in all socialist countries of eastern Europe. In Bulgaria 8/ for instance, this function belongs to the Departments for Professional Orientation, which are also open to older workers who may wish to change their jobs. They publicize their services in periodicals and in the media. Apart from these, there are commissions drawn from women's organizations, trade unions, social organizations, and the Young Communist League, attached to local and municipal councils (partly on a voluntary basis), which give advice in these matters under the direction of State Inspectorates at local level. In Romania, 9/ the Directorate for Labour and Social Protection of every administrative province (Judets) contains a special Department for Vocational Orientation which

5/ E.g. article 122 of the Constitution of the Russian SFSR, article 93 of the Byelorussian Constitution, article 98 of the Ukrainian Constitution.

6/ E.g. articles 40 and 41 of the 1971 Bulgarian Constitution, article 21 of the 1960 Czechoslovak Constitution, articles 58 and 14 of the Polish Constitution, article 45 of the Hungarian Constitution, article 18 of the Romanian Constitution, and article 36 of the Yugoslav Constitution.

7/ United Nations periodic reports on Human Rights, E/CN.4/1024, para. 81.

8/ Information from the Bulgarian Ministry of Labour, September 1972.

9/ Information from the Romanian Ministry of Labour, September 1972.

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organizes and/or supervises career counselling in the 10-year schools. In the Byelorussian SSR, vocational guidance is organized by a special council for the professional orientation of young people in schools, which is composed of representatives of different Ministries and Departments and of the trade unions. 10/ Similar services exist in the USSR and other socialist countries of eastern Europe.

30. Apart from unjustified refusals or terminations of employment, which may occur here and there, obstacles to the free choice of occupation within the country's social system could arise from restrictions on legitimate forms of self-employment, curbs on the working of personal plots of land, restrictions on settlement in specified localities or impediments in the way of temporary or permanent work abroad.

31. Nearly all the socialist countries of eastern Europe allow some scope for self-employment to artisans and small-scale service contractors, as well as independent small holders on the land and members of certain liberal professions (lawyers, medical practitioners etc.).

32. In Bulgaria, 11/ artisans may operate small-scale businesses with special permission from local government, provided the number of paid helpers (other than family workers) does not exceed two. They are not subject to differential taxes or charges, other than contributions to pension and social insurance funds amounting to 12.5 per cent of wages paid. A certain category of people engaged in specific types of occupation may also work in domestic conditions. Their legal position is regulated by the Labour Code and derivative legislation, and their remuneration governed by existing norms. Lawyers may also engage in private practice paid for by their clients. Doctors were in the same position until October 1972, but in their case the right is now restricted to medical specialists working in polyclinics after normal hours.

33. In the German Democratic Republic, 12/ persons classified as independent Komplementäre, owners, co-owners or lessees of establishments, and self-employed artisans or professionals and their family helpers numbered 1.8 million or nearly 25 per cent of the total active population in 1952. However, their number fell quickly and steadily and was reduced to 220,000 by 1971, i.e., 2.2 per cent of the active population in that year. Some 63 per cent of these were artisans or craftsmen, 18 per cent traders and slightly under 12 per cent in service industries, while only 14,000 belonged to the liberal professions.

34. In Hungary, 13/ small-scale service industries, legal counselling and private teaching are allowed on a self-employed basis. The number of those giving

10/ Answer to United Nations questionnaire, 1972.

11/ Information from the Bulgarian Ministry of Labour, September 1972, and answer to United Nations questionnaire, 1972.

12/ Statistisches Jahrbuch d. Deutschen Demokratischen Republik 1972, p. 52.

13/ Information from the Hungarian Central Statistical Office, September 1972.

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professional services was stated to be about 16,000 in 1971. None of these is subject to discriminatory taxation.

35. Poland permits self-employment in the case of taxi drivers, owners or operators of shops, bookstores, restaurants or cafes, filling stations, tourist and other facilities. In 1970 they numbered 261,000 (including family workers). 14/

36. In Romania, 15/ the number of people occupied outside the socialist sector fell from 62 per cent of the total in 1950 to 6 per cent in 1970. In agriculture, the share is still about 10 per cent of the total. Individuals may operate small workshops rendering services to the population. Permission for them to do so is subject to tests of professional competence, and their tax liabilities are slightly higher than those of employed workers. Under two laws of 1968, appropriately qualified persons and handicraft co-operatives may produce handicrafts in private workshops for the population at large, as well as for state enterprises. 16/

37. As far as the USSR is concerned no detailed information appears to be available on a small group of individual farmers and craftsmen who are not members of co-operatives. These were estimated to have numbered 10,000 in 1967, excluding non-working members of households. 17/ Their continued existence implied the right to free choice of employment, but their numbers were dwindling rapidly, and they have now disappeared. It is not clear to what extent this was due to economic and social pressure or to the emergence of new generations less committed to this type of work. By an Order of the Council of Ministers dated 11 March 1965 18/ they were freed from their previous compulsory delivery obligations to the State.

38. The most recent summary on the self-employed appears in the COMECON Statistical Yearbook of 1971, 19/ which gives the following data on the distribution of the total population into social groups (in per cent):

14/ Concise Statistical Yearbook of Poland, 1971, p. 44.

15/ Anuarul Statistic al Republicii Socialiste România 1971, p. 125, and information from Romanian Ministry of Labour, September 1972.

16/ E/CN.4/1024, February 1970.

17/ Voprosy ekonomiki, 1969, pp. 57-73.

18/ Order No. 168/65, Yearbook on Human Rights for 1965 (United Nations Sales Publication, No. E.68.XIV.1), p. 324.

19/ Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 20.

	Total population	Employed persons	Members of producer co-operatives (incl. collective farms)	Independent peasants, craftsmen, and artisans	Members of liberal professions	Other groups
<u>Bulgaria</u>						
December 1956	100	43.9	37.0	18.1	0.2	0.8
December 1965	100	58.8	39.7	1.3	0.1	0.1
<u>Czechoslovakia</u>						
March 1950	100	72.8	0	24.1	..	3.1
March 1961	100	84.2	11.9	3.8	0.1	-
End 1970	100	88.0	9.5	2.4	0.1	-
<u>Hungary</u>						
End 1965	100	72.0	24.5	3.0	0.5	
End 1969	100	74.2	22.4	2.9	0.5	
<u>German Democratic Republic</u>						
End 1964	100	80.2	11.5		8.3	
<u>Poland</u>						
December 1950	100	47.7	1.9	44.2	0.2	4.0
December 1970	100	61.3	3.0	25.6	0.9	9.2
<u>Romania</u>						
February 1956	100	37.0	8.3	53.7	1.0	
March 1960	100	52.0	40.9	6.1	0.8	
<u>USSR</u>						
Beginning 1939	100	50.2	47.2	0.6	-	-
Beginning 1959	100	68.3	31.4	0.3	-	-
Beginning 1969	100	78.4	21.6	0	-	-

/...

39. Apart from Poland, the German Democratic Republic and possibly Romania, the self-employed sector would seem to account for well under 5 per cent of the population in the COMECON countries of eastern Europe.

40. Figures on self-employment in Yugoslavia 20/ may be derived from the 1961 census, which implies nearly 5.1 million economically active persons not classified as employed (accounting for 61 per cent of the whole economically active population). Of these, 4.3 million were in agriculture, fishing or forestry, and 790,000 in other pursuits. Some 233,000 of them were unemployed, and an unspecified number in the armed forces, prison etc. Employment in the private sector outside agriculture was given as 70,000, and it is evident therefore that the average number of private employees per independent (or family) worker in these sectors must have been well under 0.15. In later years, the private sector figures available refer only to employment 21/ and give no direct indication of the number of self-employed. Employment in the private sector in 1971 was given as 90,000 (or 2.2 per cent of total employment), a figure to which it had fallen from a peak of 100,000 (2.8 per cent of total employment) in 1968. The figure for the economically active population outside paid employment and not registered as unemployed in the census of March 1970, was given as over 5.2 million, but this included workers temporarily employed abroad. 22/ It is clear, therefore, that, even if these latter had numbered as many as 1 million, 23/ the scope for independent self-employment in Yugoslavia is far greater than in other socialist countries of eastern Europe.

41. The rights of collective farmers in respect of private plots and livestock vary somewhat among the socialist countries with a collectivized agriculture.

42. In Bulgaria, 24/ according to articles 53 and 55 of the Model Statute of co-operative farms (approved by the Farm Congress in March 1967), each farming family is entitled to a personal holding between 0.2 hectare (in intensive cultivation areas) and 0.5 hectare (in grain-producing areas), the exact size of which is determined by the General Assembly of the co-operative farm. This is exclusive of the area occupied by the family's homestead and other buildings. In mountainous regions, each household may receive an additional plot of up to 0.5 hectare of land not suitable for mechanized cultivation. Each co-operative farm decides on a minimum number of days per year (within the range of 150-200 days) which must be worked by its members on the collective fields to qualify for these rights.

20/ Statistički Godišnjak Jugoslavije 1971, pp. 76, 86 and 95.

21/ Statistički Godišnjak Jugoslavije 1972, p. 89.

22/ OECD Economic Surveys, Yugoslavia, March 1972, p. 61.

23/ The Yugoslav paper Borba of 13 June 1972 reported an official number of 672,000 for 1971.

24/ Answer to United Nations questionnaire 1972 and information from the Bulgarian Ministry of Labour, September 1972.

43. In Hungary 25/ the private plot may occupy 1-1/2 hectares of agricultural land within the collective farm. There are no restrictions on the number of livestock individually held, regardless of whether the farmer is a member of a collective or not. The theoretical minimum number of days to be worked on collective fields is ninety per year, but the average recorded in recent years was 240 days per year.

44. In Romania 26/ also, the maximum size of the farmer's plot is laid down for each region, and its actual size depends on the decision of each collective farm.

45. In the USSR, 27/ article 42 of the Model Collective Farm Regulations of 28 November 1969 specifies that each collective farm family may own a dwelling, farm buildings and livestock, as well as minor implements for work on a private plot. This plot shall not exceed half a hectare in area, including the land occupied by buildings, and in irrigated areas, not more than one fifth of a hectare in area. The collective farm is required to give the plot-holder assistance in cultivation (in cases of incapacity), acquisition of livestock, obtaining veterinary services and with fodder and pasturage for livestock. The General Meeting of the collective farm may also decide to grant private plots to teachers, physicians and other specialists resident on its land, and, in some cases, also to local workers, employees, pensioners or disabled persons. However, these are provisions of the Model Regulations; the final decision on them rests with the General Assembly of each collective farm.

46. In Bulgaria 28/ the circumstances in which a citizen may seek employment in a foreign country are specified by decree. 29/ It is stated that in order to protect the interests of the citizens working abroad and to prevent the conclusion of disadvantageous contracts, foreign employment contracts are a state monopoly run by foreign trade organizations, the Ministry of Construction and Building Materials etc.

47. Hungarian citizens are permitted to work in foreign countries within the framework of bilateral or other co-operation agreements, e.g., with the German Democratic Republic and other socialist countries. The numbers involved were given as 10.5 and 11.5 thousand in 1970 and 1971, respectively (or slightly more than a fifth of 1 per cent of the total actively earning population). 30/

25/ Information from the Hungarian Central Statistical Office, September 1972.

26/ Information from the Romanian Ministry of Labour, September 1972.

27/ Yearbook on Human Rights for 1969 (United Nations Sales Publication, No. E.72.XIV.1), p. 301.

28/ Answer to United Nations questionnaire, 1972.

29/ Council of Ministers, Order 379 of 1967, complemented and modified by Order 521 of 1970 (Information Bulletin of Ministry of Labour and Social Welfare 12/1970).

30/ Information from the Hungarian Central Statistical Office, September 1972 and Statistical Pocket Book of Hungary 1972, p. 231.

48. Yugoslav citizens began to work abroad in relatively large numbers in the mid-1960s. A law supplementing the Basic Law on the Organization and Financing of Employment was published in the Official Gazette of the Yugoslav SFR No. 47, 1966, 31/ requiring the country's employment offices and the Federal Office for Employment to extend professional assistance in connexion with employment abroad. The Office receives offers from foreign employers and organizations, provides an information and registration service for Yugoslav applicants, assists them in legal questions and with documentation, organizes their travel and concludes general contracts concerning their employment. Some controversy appears to exist regarding the exact numbers of Yugoslavs currently working abroad. A recent report, however, quoted a total of 980,000 as being the official figure for 1 January 1972. 32/ Of these some 780,000 were said to be working in western Europe (about 488,000 in the German Federal Republic and 130,000 in Austria) and 200,000 overseas (120,000 in Australia). The March 1971 census gave the number of workers abroad as 672,000, 33/ or 3.3 per cent of the total population (the proportion was as high as 5.2 per cent in the case of the Croatian Republic). In 1969 an investigation by the Federal Office for Employment 34/ revealed that 72 per cent of emigrant workers stayed abroad for less than three years and only 4.6 per cent for more than five years. The annual average of the net outflow of labour during the period 1966-1970 was 95,000. 35/ Various surveys suggest that temporary emigration is largely motivated by superior earning possibilities abroad and not to any great extent by the employment situation in Yugoslavia itself. The possibility of movement across the frontier and back in pursuit of personal objectives is evidence of the recent widening in the scope of decision making by individuals and families.

49. The free choice of employment might in some cases be circumscribed by certain forms of obligatory labour imposed on members of the population in conditions of emergency, urgent need or in a wider range of circumstances.

50. The Bulgarian Act of 6 February 1958 and Ordinance No. 1 of 1968 concerning self-taxation of the population permitted the imposition of unpaid labour on men between 18 and 60 years and women between 18 and 55 years for local improvement schemes, for up to 40 hours (exceptionally 80 hours) per year. 36/

31/ Yearbook on Human Rights for 1966, p. 400.

32/ Borba, 16 May 1972.

33/ Yugoslav Survey, February 1972, p. 19.

34/ Ekonomska Politika, 24 February 1969.

35/ OECD Economic Surveys, Yugoslavia, March 1972, p. 61.

36/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-second Session, report III, part 4 (Geneva, ILO, 1968), pp. 196 and 201.

51. In the case of Czechoslovakia, Government Order No. 40 of 28 April 1953 concerning civilian labour service has occasioned inquiries by United Nations committees of experts concerned with the Forced Labour Convention. 36/ Czechoslovakia stated in response to these that the Order in question had never in practice been applied.

52. In the USSR, section 11 of the old Labour Codes of the Russian SFSR and the Ukrainian SSR allowed the imposition of compulsory labour in cases of shortage of labour for carrying out important state work. Both these countries have, however, stated that, except in rare cases of natural calamity, these provisions had not been used. 36/ The new Labour Codes adopted by both countries in December 1971 (due to come into force in April 1972) omitted these provisions from section 11.

53. In the early 1960s a number of socialist countries of eastern Europe (e.g., Czechoslovakia, the USSR and the Ukrainian SSR) made legislative changes which eliminated certain possibilities of imposition of prison or penal labour on the basis of decisions by non-judicial authorities. 37/

54. Under an ukase dated 4 May 1961 (amended on 20 September 1965), sections 1 and 2, the Presidium of the Supreme Soviet of the Russian SFSR, in line with an intensification of the campaign against persons deemed to be evading socially useful work, permitted the imposition of labour on such persons by authorities of a non-judicial nature. A similar ukase was issued by the Ukrainian SSR on 12 June 1961 and by the Byelorussian SSR on 15 May 1961. All three ordinances were further amended in early 1970. Under this legislation, persons may be compulsorily directed to employment by decision of the Executive Committee of a Soviet of Working People's Deputies; wilful non-compliance with such an order is punishable with imprisonment or corrective labour for up to one year. 38/ It was stated, however, that these ukases were not designed to institute forced labour but to reinforce the principle of the general obligation to work, i.e., the rule that any person capable of working has the right and the obligation to engage in some kind of socially useful activity of his own choosing.

55. In all socialist countries of eastern Europe, the predominant method of obtaining employment is by direct application to the management of the individually chosen work place (state or co-operative enterprise, institution or social organization).

56. In the USSR, the Labour Exchanges (birzhy truda) were abolished under legislation enacted in 1925 and 1931 (following the declaration that unemployment had been eliminated once for all), and the right to offer employment was conferred directly on productive enterprises and institutions. These are under legal prohibition to refuse available work to any applicant for reasons other than his

37/ Ibid., p. 219.

38/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-seventh Session, report III, vol. A, part 4 A (Geneva, ILO, 1972), pp. 88, 103 and 104.

(or her) intrinsic fitness for the post 39/ (because of pregnancy, criminal record of relatives etc.). Article 123 of the Constitution prohibits any direct or indirect restriction of rights, or, conversely, the establishment of any direct or indirect privileges in the matter of employment, based on sex, race, national origin or attitude towards religion.

57. Similarly, in Bulgaria 40/ employing agencies are legally debarred from rejecting an applicant on the grounds of nationality, creed, sex, origin, race, education or social background (article 35 of the Constitution). They are not, on the other hand, obliged to accept him, even though a vacancy exists, and their decisions - reached after due consideration of his qualifications - are accepted as final. The appointment of applicants whose age or qualifications do not correspond to the requirements of the post is illegal in all cases.

58. In Hungary and Romania, 41/ the refusal to employ an applicant can only be justified on the grounds of unfitness for the job or lack of work opportunity in the enterprise. Any form of discrimination is ruled out by the Constitution.

59. Similar provisions apply in other COMECON countries of Eastern Europe.

60. In Yugoslavia, the selection of applicants for a vacancy is governed by the rules of the konkurs, a procedure which requires public announcement of the vacancy, the setting up of a special selection commission in the enterprise and a written statement giving the grounds for the rejection of each unsuccessful candidate. The latter have the right of appeal to local courts. 42/ In conformity with the principles of self-management, however, the right to decide on the admission of workers into work organizations and their dismissal, within the framework of these general laws, belongs to the working people of those organizations themselves. 43/

61. Unfounded dismissals from work are outlawed in all socialist countries of eastern Europe.

62. In Bulgaria, for instance, 44/ legislation demands legal proof of the reasons for terminating any labour contract on the initiative of a firm or enterprise (articles 28-34 of the Labour Code) and insists on the right of the worker to be reinstated in his post in cases of unlawful dismissal, if necessary through the courts (article 91 of the Labour Code).

39/ Kommentarii k zakonodatelstvu o trude, Moscow 1966; Fundamental Principles of Labour Legislation of the USSR and Union Republics (in force since 1 January 1971), article 9. Vedomosti Verkh. Soveta SSSR, No. 29 (1531), 22 July 1970.

40/ Answer to United Nations questionnaire, 1972.

41/ Information from official sources.

42/ Information obtained from the Yugoslav Secretariat of State for Foreign Affairs.

43/ Article 9 of the Constitution. See E/CN.4/1011/Add.7, p. 8.

44/ Answer to United Nations questionnaire, 1972.

63. Another safeguard is the frequent provision, as instanced by the Byelorussian and Ukrainian SSRs, 45/ that dismissals on the initiative of management requires the concurrence of the Factory Trade Union Committee. This safeguard is expressly stated in article 18 of the Fundamental Principles governing Labour Legislation of the USSR and Union Republics which came into force on 1 January 1972.

64. Similar provisions apply in all socialist countries of eastern Europe.

65. Articles 46 to 49 of the 1966 Labour Code of Czechoslovakia 46/ specifies conditions for lawful dismissal which are in every way comparable to the general norm. The Code was, however, revised in June 1968 and further amended on 18 December 1969. In the final version, it is stated, *inter alia*, that a worker can be dismissed if "his activity has been such as to constitute a breach of the socialist order and he is therefore not sufficiently reliable to hold his previous office or post". 47/ Some concern was expressed by an ILO Committee of Experts that this wording might make it possible for the employment rights of individuals to be infringed for reasons connected with their political opinions, particularly since the new provisions had appeared as additions to a Labour Code which already authorized dismissals for breaches of normal standards of performance and discipline. 48/

66. In Hungary, a Decree of 1964 (No. 29, on certain questions of employment relations) repealed a provision previously in force (1951 Labour Code) which allowed disciplinary penalties, including dismissal, to be imposed on workers who believed "in a way that reveals hostility to the national and social order of the People's Democracy". 49/

67. A decision of the Soviet Control Commission dated 22-26 May 1963 states that employment may no longer be terminated or refused on grounds such as social origin, except by virtue of special provisions. In reply to a question from an ILO Committee of Experts the Soviet Government indicated that no special provision of this kind, which would be incompatible with ILO Conventions, was in force. 50/

45/ Answers to United Nations questionnaire, 1972.

46/ Code du Travail de la République Socialiste Tchèqueoslovaque, Prague 1966, pp. 18-20.

47/ Sections 46 (1e) and 53 (1c) of the new code.

48/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-seventh Session, report III, vol. A, part 4 A (Geneva, ILO, 1972), pp. 203-204.

49/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-sixth Session, report III, vol. B, part 4 B (Geneva, ILO, 1971), p. 19.

50/ *Ibid.*, p. 17.

68. In co-operative agriculture, the right to work (other than for the small category of collective farm employees) implies the right to membership in a collective farm.

69. In the USSR, the old Collective Farm Charter of 1935, with the amendments of 1938, 51/ implied that children of collective farm members would automatically join the collective on reaching the age of 16. The new Model Charter, adopted on 28 November 1969, 52/ states that "all citizens of the USSR who have reached the age of 16 and expressed a desire to participate through their labour in the communal sector of the collective farm may be members of the collective farm". Neither the English nor the Russian text appears to imply an obligation on the part of a collective to accept any particular applicant. It is stated, however, that applications for membership must be considered by the collective farm board within one month of being received and, if recommended by the board, submitted for acceptance by the general meeting of collective farmers. The reluctance to legislate more firmly in this sphere may stem from a desire to uphold the independence of co-operatives, and the contingent limitation on the right to work may be theoretical rather than practical. Similar provisions apply in other socialist countries of eastern Europe.

70. The freedom to choose one's occupation implies the opportunity to select freely from a number of channels of placement made available to the individual job-seeker by the institutional arrangements in force.

71. In the USSR, throughout most of its recent history, a number of special methods of placement existed, apart from the direct hiring or co-option of workers described in paragraphs 56 and 69: 53/

(a) The placement of young people leaving trade (vocational-technical schools, in accordance with the training and placement plans drawn up and ratified by each Republican government (Council of Ministers) for the short (annual) or medium term. The schools themselves are responsible for the direction of school-leavers to the enterprises or building projects selected under the plan and for the financing of their journeys. While this method provides one of the guarantees of the right to work, the extent to which it honours the right to the free choice of employment will depend on the quality and flexibility of career advisory services in the schools.

(b) The placement of young graduates from higher or medium-specialist educational establishments. These are directed to employment in keeping with

51/ Izvestia, 18 February 1935 and Resheniya partii i pravitelstva po khozyaystvennym voprosam (1917-1967 gg), Tom II, Moscow, 1967, pp. 661-662.

52/ Pravda and Izvestia, 30 November 1969, p. 1.

53/ Kommentarii k zakonodatelstvu o trude, Moscow, 1966.

their qualifications under official plans ratified by Republican Governments and other authorities by agreement with the All-Union State Planning Commission (GOSPLAN SSSR). ^{54/} Direct responsibility rests on a special Commission for the Individual Placement of Young Specialists, chaired by the director of the educational establishment and including other educational officers, as well as representatives of the "consuming" ministries, departments and enterprises. The Commission must inform each graduate of its decision in good time and consider any objections on his part. If these are overruled, however, the graduate is obliged to accept the post offered. He is, moreover, in all cases under a legal obligation to work no less than three years at the workplace (or places) assigned by the Commission, and other enterprises are not allowed to employ him without documentary evidence that this condition has been waived or fulfilled. This does not, however, preclude him from applying for replacement during that period. Similar rules apply to university graduates (aspiranty), though the obligatory period for directed work is only two years in their case. There are legal safeguards against placements which separate married couples or cause hardships to invalids, children of invalid parents and other categories, but in all ordinary cases, the exercise of the right to choose one's employment appears to be subject to some constraint in the first few years after graduation.

(c) The organized recruitment and resettlement of labour. This form of job placement was designed to meet the labour requirements of enterprises, farms or building projects sited in eastern and northern regions of the country or strongly affected by a seasonal rhythm of production (fishing, peat extraction, timber etc.). In the Russian Federated Republic, this responsibility rested on a special Chief Administration for the Resettlement and Organized Recruitment of Labour attached to the Republican Government, with a network of local branches and inspectors. The recruitment contracts were concluded for periods of not less than one year, though contracts for the far east and extreme north specified a minimum of two and three years, respectively. The law insisted on the strict observance of the voluntary principle in all cases.

(d) Assisted job placement (trudoustroystvo). Soviet commentaries describe this as a supplementary guarantee of the right to work for special categories of people who need assistance in their search for employment. These may be secondary school-leavers, people under 18 years of age, invalids, clerical workers made redundant by administrative reorganization, retired members of the armed forces, released prisoners and other special categories. Job placement under this heading is the responsibility of special commissions composed of Deputy Ministers of the Republic and representatives of party, trade union and educational organs, operating at various levels of local government and acting on application by job-seekers. Apart from this, adolescents between 16 (exceptionally 15) and 18 years of age without secondary education may apply for work to the local soviets at district or city level. Enterprise managers are under an obligation

^{54/} The practice will be recognized as a standard method adopted in relation to those graduating with the aid of state scholarships in many parts of the world.

to accept young people referred to them in this manner, and were by an Ordinance of 1966 specifically enjoined to put an end to their unfounded refusal to do so on frequent occasions.

(e) In December 1966 the agencies for the resettlement and organized recruitment were abolished and a new system of organs for job placement instituted. 55/ This function, as well as the dissemination of information, is now performed by State Committees for the Utilization of Labour Resources attached to Union-Republican Councils of Ministers, and by special departments within the Executive Committees of Soviets at territorial and regional levels; in larger towns and districts, it is performed by specially authorized persons. The recruitment procedure of these organs is governed by a Standard Regulation approved on 12 January 1957 by the State Committee on Labour and Wages and the All-Union Council of Trade Unions and is stated to guarantee equality of rights for all Soviet citizens.

72. It appears that since 1969 the State Committees have become one of the main channels for the placement of workers not directly hired by enterprises or assigned to jobs by their educational establishments. They have special responsibilities for the re-employment of redundant workers, being informed of redundancies by enterprises a few months before they occur, and now have the power to compel designated enterprises to accept such workers for employment or retraining.

73. In Bulgaria also, the employment relation may arise from a direct approach of the individual to an enterprise, leading to a standard labour agreement, from administrative acts governing the distribution of young specialists or from a number of other decisions (sentence for correctional labour without imprisonment in the case of certain convictions, and legal decisions under article 119, paragraph 1, of the Labour Code of 1951 and subsequent amendments). 56/ Young specialists completing studies at higher or specialized secondary education are required to work in officially designated employment for a period of three years during which other undertakings are prohibited from taking them into employment. 57/ These provisions were further developed under Resolution No. 48 of 29 November 1967, which specifies that the contracts must be freely accepted by the parties concerned. 58/

55/ Decree of the Council of Ministers of the USSR dated 22 December 1966 "On measures to ensure a further increase in labour productivity and construction". See also E/CN.4/1011/Add.3.

56/ E/CN.4/1011, p. 2, and answer to United Nations questionnaire, 1972.

57/ Resolutions Nos. 159 and 188 of the Council of Ministers, September and November 1962.

58/ Official Gazette No. 3/1968 and E/CN.4/1011, p. 2.

74. Some employment relations also arise from recruitment for projects of national importance organized by special departments in Labour Inspectorates on the basis of manpower balances prepared by the Ministry of Labour for each region (okrug). These are on a voluntary basis and rely on special incentives (housing privileges etc.) where labour requirements cannot otherwise be met. 59/

75. Czechoslovakia also safeguards the job-seeker against unjustified refusals of employment, and makes provision for the assignment of work places by national committees to those who wish to use them. 60/ Similar placement agencies also exist in Hungary, 61/ Romania 62/ and Yugoslavia. 63/

76. Most socialist countries of eastern Europe also make provision for the placement of young specialists on leaving higher or technical secondary educational establishments and impose temporary work obligations (usually three years) in designated enterprises. Czechoslovakia, however, repealed this requirement, 64/ and Hungary maintains it only for the medical and nursing professions. 65/

77. One of the most important facets of freedom of choice in employment is the right of the individual to leave his work place for another, after due notice and without disproportionate loss of entitlements.

78. The Bulgarian Labour Code 66/ allows workers and employees to leave their work places after fifteen days' notice, but requires 30 days' notice for highly qualified personnel. Those leaving without notice or prematurely owe the enterprise compensation equal to their remuneration for the legal term of the notice. Workers are, however, entitled to leave immediately without penalty if any conditions of the Labour Code are violated by the employer, if rendered unfit for their jobs by illness (and not offered alternative work in the same enterprise)

59/ Information from the Bulgarian Ministry of Labour, September 1972. As an example an industrial project at Varna was cited.

60/ E/CN.4/1023/Add.4, p. 3.

61/ Labour offices are attached to all District Councils and mediate between workers and employing agencies on a voluntary basis, accounting in this way for 5-8 per cent of the annual labour turnover. Information from the Hungarian Central Statistical Office, September 1972.

62/ Territorially organized job placement offices in all Judetse and larger towns. Information from the Romanian Ministry of Labour.

63/ Known as local employment bureaux.

64/ E/CN.4/1024, para. 55.

65/ Legislative Decree No. 46 of 1957, as amended by No. 31 of 1958.

66/ Articles 29 (d), 30, and 34, and answer to United Nations questionnaire.

/...

or if accepted for higher, secondary or vocational education. Other acceptable grounds for such terminations are change of residence, more than six months' assignment to duties not corresponding to the worker's qualifications, pregnancy, care of children under three years of age or the intention to take up work in the copper industry or on construction projects of national importance.

79. In Czechoslovakia, articles 45, 51 and 52 of the 1966 Labour Code 67/ permit notice on the part of workers and employees for similar reasons but demand periods of notice of one month for workers under 30 years of age, two months for those between 30 and 40, and three months for those over 40. Notice of six months is required if the worker wishes to leave for reasons other than those legally specified or possibly without giving any reasons, unless the worker and the enterprise come to a different agreement. A provision under which, in certain cases, a worker could terminate his contract only with the agreement of the enterprise or the permission of the competent authorities was repealed in the late 1960s. 68/

80. Since 1968, Hungary recognizes a worker's right to leave his employment immediately (with some loss of normal benefits for continuity of service) or after an agreed period of notice, which varies between a minimum of two weeks and a maximum of three months. During that period, the employing enterprise must allow the worker four off-duty hours per day on full pay to look for other employment. His workbook is restored to him only when he has contracted new employment. There are no legal penalties for workers who change their jobs too frequently, but this is indirectly discouraged by the use of premia for long service in the same enterprise and by an informal arrangement between some enterprises not to offer appointments carrying increased wages to "changing birds". Labour turnover, however, averages only some 12 per cent of employment in a normal year. 69/

81. In Romania, 70/ job changes without special permission are usually allowed after 12 days' notice, though certain losses of continuity benefits (not however affecting retirement pension) are entailed. 71/ In special cases, however, the agreement of the present and future employing enterprise is required, though the worker can appeal to the Trust or Association of which his present enterprise forms a part if this agreement is persistently refused. Fixed term labour contracts, which cannot be broken, do exist but are normally restricted to seasonal work, to the three-year obligations of graduates of vocational schools or to a maximum of five years for those who were educated or sent abroad for training at the expense of their enterprises. There are no special penalties for those who change their jobs frequently.

67/ Code du travail de la République Tchèque, Prague 1966, pp. 18-20.

68/ E/CN.4/1012.

69/ Information from the Hungarian Central Statistical Office, September 1972.

70/ Information from the Romanian Ministry of Labour, September 1972.

71/ These may include the right to paid holidays, which is conditioned on two years' service in the same enterprise.

/...

82. In the USSR, a number of very stringent limitations on labour mobility were introduced during the Second World War. These prevented workers from changing jobs unless directed by the State and made infringements subject to up to four months' imprisonment. They appeared to remain in force, albeit less stringently applied, until the early 1950s and were formally repealed in 1956.

83. At present, the Labour Code 72/ recognizes the right of all wage and salary workers to terminate their employment on giving two weeks' notice. The employing organ is not entitled to prevent the worker's departure for any reason whatever or to require him to give reasons for his notice. Exceptions to this rule are: (a) young workers, specialists or graduates while under the obligation to complete their term of directed work after graduation (see para. 71 b); (b) workers whose labour contracts cover definite periods (contracts for the extreme north etc.). These categories can give notice before the expiry of the obligatory period only if they can plead infringements of contractual conditions by the employing organ, illness or physical handicaps. In relevant cases, notice can also be given if the worker is prepared to reimburse the enterprise for expenses incurred on his behalf (cost of recruitment, travel etc.).

84. Workers who terminate their employment voluntarily in this manner do not (since 1960) lose their continuous-service credits (stazh, or uninterrupted work over a 15-year period) for pensions and other benefits, provided they enter new employment within one month. There is a 10 per cent addition to pension for an uninterrupted work during a 15-year period. 73/ The latter qualification does not apply to those who leave work because of illness, enrolment in study courses, transfers of husbands or wives or other reasons recognized by law. The restrictive effects of these rules on the free choice of employment will, of course, depend on the ease with which suitable jobs can be found within one month (or before leaving previous employment). In practice, however, usually workers leave their job when they have already found another job.

85. Workers who have received compensation for displacement, travel allowance etc. in connexion with their current employment and give notice before completing one year's work are required to repay the full cost of those concessions.

86. Similar provisions apply in the Union Republics of the USSR. 74/

87. In Yugoslavia, the Basic Law on Labour Relations 75/ specifies that a worker has the right to terminate his employment at any time, provided he gives notice

72/ Osnovy zakonodatelstva SSSR o trude. Vedomosti Verkhovnogo Soveta SSSR, No. 29 (1531), 22 July 1970.

73/ If one has an interrupted work record and wishes to qualify for the 10 per cent bonus to his pension, he must work another 10 years after reaching pensionable age. Information supplied by the USSR Trade Union Council, October 1972.

74/ See, e.g., answer to United Nations questionnaire by the Byelorussian SSR, p. 3.

75/ Official Gazette of the SFRY, No. 17/65 and Yearbook on Human Rights for 1965, p. 351.

for a period longer than 30 days but not exceeding six months (unless the worker and the organization agree otherwise). In practice, the rules for resignations are now governed by the statute of each self-managing enterprise, and a form of resignation by presumption is often recognized in the case of workers who discontinue attendance at their place of work. 76/

88. As far as collective farmers are concerned, there appears to be no explicit legislative provision recognizing their right to withdraw from membership in their collectives and leave the farm without the agreement of the latter. On the basis of information supplied to the Special Rapporteur it appears that this right is safeguarded in actual fact in the USSR.

89. In the case of Bulgaria, it is stated that each co-operative makes the relevant stipulations in its own statutes. 77/

90. In Romania, collective farm members are stated to be free to leave their co-operatives by agreement with the General Assembly.

91. In the Soviet Collective Farm Charter of 1935, now superseded, there was a reference to the possibility of withdrawal, implicit in a paragraph prohibiting the parcelling out of collective farmland to those who left. The new Model Charter of December 1969 obliges the collective farm board to consider any member's application for withdrawal within three months of its submission, but implies no legal obligation to accept. 78/ According to official information given verbally, 79/ however, the right of collective farmers to change their occupation is in practice safeguarded. Moreover, if any of their dependants decide to remain on the farm, the household's private plot is turned over to them.

92. In the case of temporary work outside the farm, whether ad hoc or on contract, the collective farmer appears to need documentary dispensation from his farm administration before he can accept. This provision is explicitly mentioned only in the case of contracts with the agencies for organized recruitment of labour, which are now abolished. It is not clear to what extent these rules apply to other forms of work outside the collective farm.

93. Similar provisions operate in all socialist countries of eastern Europe, but in the case of individual applications for withdrawal, it does not seem possible to make generalizations regarding the conditions under which the

76/ Information from the Yugoslav Federal Secretariat of State for Foreign Affairs.

77/ Answer to United Nations questionnaire 1972.

78/ Article 7; see Pravda and Izvestia, 30 November 1969. See also, Yearbook on Human Rights for 1969, p. 299.

79/ Information given by official government agency in Moscow, October 1972.

General Assembly's agreement is mandatory, or may be withheld, or the ease with which it can be obtained. The rules governing such procedures may depend on the collective farm statute adopted separately by each co-operative, and could therefore vary from one farm to another. No general precepts appear to be contained in the Model Charters to which all statutes are intended to conform.

94. The fast rate of transfer from rural to urban occupations in most socialist countries of eastern Europe does not suggest, however, that the obstacles for those wishing to leave their collective farms are unduly inhibiting.

95. The very low pensionable age, which is one of the social achievements of most socialist countries of eastern Europe, does not impair the right to work of pensionable workers who still feel able to make a contribution in their professions. In the USSR, for instance, 5.2 million persons out of a total of 26 million over retirement age in 1971 had chosen to continue work and were drawing full wages and part of their pensions at the same time. Their pension entitlements are in these cases raised in line with their wages biannually as long as they continue to work. For some categories of workers, full pensions are payable while they continue to work; for others the pension is restricted to 50 per cent of their entitlements (or 75 per cent in the case of work in northern or far eastern areas). In no case, however, can the total take-home pay (wages plus pensions) exceed 300 rubles per month. 80/

80/ Information from the USSR Social Security Office and Trade Union Council, October 1972.

B. THE RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

96. The relationship between workers and their employing enterprises or institutions in the socialist countries of eastern Europe is regulated by the Labour Codes and derivative instruments of legislation, usually arising from joint decisions by state authorities and trade union organs. The legal relationship is conceptually expressed as a labour contract between the parties, in conformity with general norms laid down in the Standard Code, which serves as a universal frame of reference.

97. In Bulgaria, the worker's qualifications, skill category, and status, on which the terms of the Labour Contract crucially depend, are determined by tests administered by special examination boards appointed by management (which must, however, include a trade union representative). 81/

98. In Czechoslovakia, the labour contract must be produced in writing in a large variety of conditions, including the expressed desire of the worker. It must specify the worker's precise duties, the location of the work and its starting date, as well as the worker's wage category and other terms of interest to both parties. Any probationary period agreed upon must also be specified in the contract. 82/

99. In the USSR conditions of work are regulated by the Labour Code. Within that framework, they are governed by the Collective Agreement concluded between the employing authority (enterprise or institution) and the factory, works, or local (trade union) committee as contracting parties. 83/ As the Labour Code developed in scope and detail the Collective Agreement changed from an original contract on standards of mutual behaviour to an instrument of clarification, applying the Labour Code 84/ to the specific circumstances of particular enterprises. Apart from listing the obligations of both parties to the national economy, the Collective Agreement lays down the duties of the employing authority in the field of wage administration, norm-setting, workers' participation in management, health and safety measures and provision of amenities (factory housing, canteens, sick-rooms etc.). The Agreement is concluded annually not later than February and follows procedures and standards regulated jointly by Government and trade union organs. It is ratified by the General Meeting of Wage and Salary Earners in each enterprise and sent for registration to higher organs of economic administration.

81/ Answer to United Nations questionnaire, 1972.

82/ 1966 Labour Code, articles 27-35.

83/ Order of Council of Ministers of the USSR and the All-Union Central Council of Trades Unions dated 6 March 1966: "Collective Agreements and Enterprises". Also Yearbook on Human Rights for 1966, p. 381 et seq.

84/ Osnovy zakonodatelstva SSSR trude, Vedomosti Verkhovnogo Soveta SSSR, No. 23 (1531), 22 July 1970.

100. The individual worker employed in an enterprise is deemed to have entered into a labour contract with its administration, which may or may not be documented in a formal way. This implies, on the worker's part, an obligation to perform work of a definite kind for a period of time, which may be indefinite, specified (not longer than three years) or limited to the completion of a defined task. The contract may be unconditional or probationary within time limits set by the Labour Code. It must not contain any direct or indirect curtailment of rights or extensions of privileges for reasons of sex, race, nationality or religion. On the part of the employing authority, the contract implies the obligation to pay the wages appropriate to the job and to provide working conditions in accordance with standards laid down in the Labour Code.

101. Provisions in the agreements which create conditions of employment less favourable to the employee than those laid down in the Labour Code or which are intended to limit the political and general civic rights of the workers are null and void (articles 4 and 28 of the Labour Code).

102. According to article 9 of the Order on Collective Agreements, the fulfilment of obligations under these agreements is supervised jointly by trade union and economic organizations.

103. In Yugoslavia, the Basic Law on Labour Relations ^{85/} proceeds from the established principles of self-management, as guaranteed in articles 9 and 10 of the Constitution. It provides that the work community, as the sovereign entity which has established employment relations within a productive organization, decides independently on such matters as labour contracts, new entries and terminations, hours and conditions of work, distribution of earnings to individuals and training. While these decisions are autonomous in the sense of implying the complete abrogation of the former dichotomy between employer and employee and its replacement by a system of mutual relationships among freely associating workers, they are required to conform to general principles regarding equality of rights, payment commensurate with the quantity and quality of individual work, absence of discrimination etc.

104. Workers in the socialist countries of eastern Europe are provided with a document recording their employment status and other relevant information, which accompanies them from one work place to the next. In Hungary, it lists their skill category, training record, qualifications and past employment, but not the wages received. ^{86/} In the USSR, the workbook (*trudovaya knizhka*) records the professional status and entitlements of each worker. It is issued to all wage and salary earners by their first employing authority and kept up to date by the current employer, to whom it is also entrusted for safekeeping during the worker's period of employment. Apart from the worker's skill category, it

^{85/} Official Gazette of the SFRY, No. 17/65. See Yearbook on Human Rights for 1965, pp. 346-353.

^{86/} Information from the Hungarian Central Statistical Office, September 1972.

records successive places of employment, transfers, training or study courses, special mentions, honours and awards. There are no endorsements for any disciplinary proceedings against him, and no entry may be made without his knowledge and consent. The only documents which managements are entitled to request from applicants for vacant jobs are the workbook, with supporting evidence concerning his qualifications and a document of personal identification (passport). They are prohibited by law from demanding any additional information or documents not provided for in the Standard Regulation. 87/

105. In Yugoslavia, the employment book is a public document which serves to attest the facts necessary for the realization of the rights deriving from employment relationships. It contains, among other things, the worker's skill category, as determined by the certificate issued to him by local government. The entry of negative data on the worker in his employment book is prohibited. 88/

106. The existence of just and favourable working conditions implies protection against unjustified assignments of employees to duties within their enterprises which may be incompatible with their qualifications, labour contracts or legitimate expectations. Such protection is generally provided for in the socialist countries of eastern Europe.

107. According to article 24 of the Bulgarian Labour Code, an enterprise is not entitled to change the work place or the type of work to be performed by a worker in contravention of the Labour Agreement, unless his express consent is obtained. 89/

108. The 1966 Labour Code of Czechoslovakia permits reclassification of the worker normally only for medical or disciplinary reasons but allows for unspecified cases in which the enterprise may change the terms of his contract without his consent. Reclassification is also permitted without the worker's consent for "reasons connected with the functioning of the enterprise" in cases where natural catastrophies need to be averted or where other circumstances make it inevitable (for a period not exceeding 30 days in each year). In all these cases, however, the enterprise must take account of the wishes and capacity of the worker concerned and discuss with him the reasons for his new assignment and its probable duration. 90/

109. Hungary allows the transfer of workers to lower-paid work generally only for disciplinary reasons but also makes provision for the possibility of such transfers in cases of economic necessity, provided the agreement of trade union organs is obtained. 91/

87/ E/CN.4/1011/Add.3, pp. 28-29.

88/ Basic Law on Labour Relations (Official Gazette No. 17/65), article 9.
See also Yearbook on Human Rights for 1965, p. 351.

89/ Answer to United Nations questionnaire, 1972.

90/ Code du travail de la République Tchèqueoslovaque, Prague 1966, articles 37 to 38.

91/ Information from the Hungarian Central Statistical Office, September 1972.

110. In Romania, reclassification is only permitted in cases of deficient performance on the part of the worker, while the employment of workers with higher educational qualifications in low skill categories is generally prohibited. 92/

111. In the USSR, the Labour Code prohibits the permanent transfer of a worker from one type of work to another without his consent, though transfers from one work place to another are the prerogative of the employing authority. Conflicts between workers and management on this score are resolved by the Committee on Labour Disputes or the factory, works or local (trade union) committee. The administration, however, is entitled to transfer a worker to different types of work temporarily, where this is dictated by the needs of production or by disciplinary proceedings against him. In the first case, the transfer must not exceed one month in duration or entail loss of earnings, unless it is necessitated by idle time or interruption in the enterprise's production cycle. In the second case, transfers to lower-paid work are permissible but must not exceed three months in duration; nor is the administration entitled to reduce an offender's earnings while requiring him to work in his own skill category, since actions of this sort would infringe the principle of payment in accordance with the quantity and quality of work.

112. Transfers to work places in other localities (cities, districts) are not permitted without the worker's consent, even when no changes in the type of work are involved. 93/

113. The answer of the Byelorussian SSR to the United Nations questionnaire further specifies that transfers to other works within the same enterprise, as well as transfers to other enterprises or other locations (even in conjunction with a move by the whole enterprise), without the consent of the worker are prohibited, except in a few circumstances specified by law. Temporary transfers to a different type of work are permitted only in cases of absolute necessity or in cases of idle time.

114. In the arrangement of working conditions within the enterprise, special consideration is given to persons with reduced working capabilities or in need of temporary protection.

115. In Bulgaria, 94/ article 118 of the Labour Code provides for the obligatory transfer of women on arduous tasks to lighter work without loss of earnings from the fourth month of pregnancy. Enterprises are also obliged to transfer workers to suitably lighter work when instructed to do so by medical authorities (article 121). All such transfers are governed by a special Decree of the Council of Ministers dated 17 December 1963. 95/

92/ Information from the Romanian Ministry of Labour, November 1972.

93/ Osnovy zakonodetelstva SSSR PO trudu, Vedomosti Verkhovnogo Soveta SSSR, No. 29 (1531), 22 July 1970, and answer to United Nations questionnaire, 1972.

94/ Answer to United Nations questionnaire, 1972.

95/ State Gazette No. 101 of 1963.

116. Hungary and Romania make similar provisions in their labour legislation and also confer absolute rights of reinstatement on individuals when the period of transfer has elapsed. 96/ Poland has legislated for lighter work throughout periods of pregnancy, if a woman's occupation is judged too onerous by a doctor, and also prohibits overtime, night shifts, and work assignment away from the usual work place, in the case of mothers with children under one year. 97/

117. In the USSR, expectant or nursing mothers, sufferers from specified diseases and others are entitled to temporary transfers to lighter work in their own enterprises without loss of earnings. If these transfers take on a permanent character, the previous earnings level is safeguarded for a transitional period. If they are not permanent, previous earnings continue to be paid for two weeks, and in the case of pregnant women, nursing mothers, mothers with children under one year of age or workers suffering from injuries there is no loss of earnings throughout the whole period of transfer. 98/

118. Rules and procedures in matters of work discipline and disputes between individual employees and management are laid down in special sections of the Labour Codes in all socialist countries of eastern Europe.

119. In Bulgaria, 99/ for instance, punishable breaches of discipline are categorized into (a) late arrival, (b) early departure from work, (c) inefficiency, (d) absenteeism, (e) unfounded refusals to undertake reasonable tasks, (f) drunkenness at work, (g) negligence, (h) infringement of laws or sentences, (i) violation of other stipulations in force. Employees accused of these infringements have the right to defend themselves and, if found guilty, can be (a) reprovved, (b) reprimanded, (c) severely reprimanded, or (d) transferred to a lower pay category or job in the same or another enterprise. 100/ In the case of unjustified absence from work for three consecutive days or over five days during a calendar year, the worker suffers corresponding deductions from his regular leave entitlements and, in addition, loses his normal right to supplementary paid leave (in excess of the regular entitlement of 14 work days per year). Similar provisions, with slight variations, seem to apply in all socialist countries of eastern Europe.

96/ Information from the Hungarian Central Statistical Office and the Romanian Ministry of Labour, September 1972.

97/ E/CN.4/1023/Add.1, p. 11.

98/ E/CN.4/1011/Add.3, p. 30, and answer to United Nations questionnaire, 1972.

99/ Answer to United Nations questionnaire, 1972.

100/ Similar penalties are also provided for in the 1966 Labour Code of the Czechoslovakia (article 77).

120. As regards labour disputes, the USSR may serve as a typical example. 101/ There, such disputes are resolved by mixed commissions at enterprise level on which trade union committees and management are represented in equal strength. If no agreement is reached, or the contending parties do not both concur with the verdict, the dispute comes before the factory, works, or local (trade union) committee. The latter may confirm or change the decision of the mixed commission. Workers applying for reinstatement after improper dismissal can apply to the people's court but must do so within one month of the dismissal in cases where this occurred with the agreement of the trade union committee. Workers bringing actions for recovery of wages or pressing claims on other matters arising out of the employment relationship are exempt from payment of costs and other charges.

121. Labour conditions in collective farms are generally regulated by Model Charters adopted by Congresses of Collective Farms, and passed by State and Party authorities, which subsequently serve as frames of reference for the Statutes and Regulations drawn up by the individual co-operatives. The latter, which are passed by the General Assembly of each collective farm, lay down procedures for arranging working and off-days, paid vacations and minimum work requirements for each member. The farmers are entitled to personal plots, implements and livestock to an extent determined by the General Assembly within the limits set in the Statute. 102/

122. In the USSR, the new Model Charter 103/ specifies that the participation of members in various production departments within the farm must be determined "on the basis of the interests of the development of the communal sector and with due consideration for (members') qualifications, work experience, skills and personal desires" (original emphasis). The Collective Farm Board is responsible for wage payments, payments in kind, piecework norms, bonuses etc. It is also responsible for recognition of merit and special rewards, as well as labour discipline, censure of offenders and penalties (e.g., transfer to lower-paid work). Finally, it is responsible for living and cultural conditions on the farm, including education, health and hygiene.

123. By decision of the General Meeting of members, collective farm members are granted personal plots whose size depends on the number in the household and their participation in the labour of the communal sector. Maximum sizes are fixed at half a hectare (including land occupied by buildings) and one fifth of a hectare on irrigated land. This privilege dates back to the height of the collectivization movement in the early 1930s and has been interpreted with various degrees of stringency at different stages of development. The new Charter specifies that its provisions must not be construed to imply a reduction in the size of existing personal plots, where these have been established in accordance with the previous Charter.

101/ Kommentariik zakonodatelstvu o trude, Moscow 1966, Osnovy zakonodatelstva SSSR o trude, Vedomosti Verkhovnogo Soveta SSSR No. 29 (1531), 22 July 1970, and E/CN.4/1011/Add.3, pp. 31-2.

102/ See, e.g., Bulgarian answer to United Nations questionnaire, 1972.

103/ Resolution of CPSU Central Committee and USSR Council of Ministers dated 28 November 1969, Pravda and Izvestia, 30 November 1969, p. 1. For extracts, see also Yearbook on Human Rights for 1969, p. 298 et seq.

124. In matters of industrial safety the socialist countries of eastern Europe lay down specific guarantees in their general labour codes and in supplementary legislative acts.
125. In Bulgaria, an Occupational Safety Inspectorate controls the proper execution by enterprises, institutions and farms of the Model Regulations concerning safety measures. 104/
126. In the USSR, the Labour Code sets the technical and hygienic standards to be maintained in enterprises for the prevention of accidents and the safeguarding of health. Special annual conventions are signed by management and works committees providing for the introduction of hygiene and safety measures. The main responsibility for their implementation rests on the technical inspectors appointed by trade union committees and on special state inspectorates.
127. Since January 1970 a standard list of safety and health measures in enterprises is in operation. This is applied to the special circumstances of each major industry by the corresponding Ministry or Department, by agreement with trade union organs. In mining, iron and steel works, oil fields and other enterprises, special responsibilities for safety also rest on works managers and foremen.
128. Similar provisions apply in the other socialist countries of eastern Europe.

104/ Official Gazette No. 52/1966 and No. 35 and 86 of 1967. See also E/CN.4/1011, p. 3.

C. THE RIGHT OF PROTECTION AGAINST UNEMPLOYMENT

129. There are no unemployment benefits under that name in the socialist countries of eastern Europe other than Yugoslavia, since unemployment in these countries has been declared banished for ever. Nevertheless, provision is made for the financial alleviation of difficulties caused by transitional periods between two jobs and other lapses from the normal conditions of an individual's employment.

130. In spite of the declared absence of unemployment in Bulgaria, for instance, the social security system gives assistance to workers and employees who are temporarily out of work. (Collective farmers are excluded from this provision, since their status as members of co-operatives is not based on a contract of employment in the normal sense.) The assistance is available for a maximum of 13 weeks in any year to workers dismissed through no fault of their own, to whom no alternative job could be offered; it is conditional on the worker having a certain minimum length of service to his credit, and its scale appears to depend on total family income. 105/ For workers made redundant by technological progress who attend retraining courses or study groups an allowance of 100 per cent of their previous basic wage is payable for a period between three to six months. When it is not possible to enrol them in such courses, they are entitled to 100 per cent of previous earnings for one month, and to 50 per cent of these earnings for a further period not exceeding 156 working days. 106/

131. Compensation for redundancy is also provided for in Czechoslovakia, where a special allowance is available before the start of a new occupation under Notice No. 74 (1970) of the Labour Code. 107/

132. Benefits equal to 10 per cent of earnings (plus a flat-rate payment for each dependant and for housing) are also payable in the German Democratic Republic to persons without employment for up to 26 weeks. The payments are financed on a compulsory insurance basis governed by a law dating back to 1947.

133. In Hungary, assistance is available under the 1957 law to the involuntarily unemployed, subject to means tests. The payments, which cannot be made for longer than six months, amount to 30 per cent of normal earnings, but must be within the range of 300 to 600 forints per month, exclusive of dependants' supplements of 40 forints per person.

134. In Poland, the Labour Exchanges are advising Welfare Boards to pay special temporary relief in cases where there are difficulties or delays in the placement of persons temporarily out of work. On 6 November 1968, the Ministry of Health and Social Welfare, in conjunction with the Chairman of the Labour and Wages Committee, issued Ordinance No. 20 regularizing assistance of this sort. 108/

105/ Decree No. 62 of 9 June 1958. See answer to United Nations questionnaire, 1972.

106/ Resolution No. 3, dated 20 January 1967 (Official Gazette No. 8/1967). See also E/CN.4/1011, p. 4.

107/ E/CN.4/1023/Add.4.

108/ E/CN.4/1024, para. 81.

135. Romania, on the other hand, has stated that in view of the total absence of unemployment in the country, no special measures of protection are in force. 109/

136. In the USSR also, no unemployment benefits actually so called exist, since unemployment was declared to have been overcome once and for all and the labour exchanges were closed in 1931. The Union Republics do, however, make provision for severance pay (equal to two weeks' average wages) in certain legally defined circumstances: 110/ (a) where employees lose their jobs (without having been given the required two weeks' notice) for reasons of closure, laying off of staff, idle time or stoppages of production for periods exceeding one month; (b) where severance is due to the setting up of investigating commissions or tribunals in connexion with the worker's previous assignment; in such cases severance pay is obligatory, even if due notice has been received and even if the dispute giving rise to the investigation originated in the worker's own refusal to follow the enterprise in its move to a different location.

137. Of all the socialist countries of eastern Europe, Yugoslavia is the only one to have felt the need to make specific provision for the payment of unemployment benefits on a regular basis where a worker's circumstances make this necessary. The right to this relief is guaranteed in article 36 of the Constitution. 111/ The scheme is, at present, governed by a law dated 1965, financed by contributions from employing organizations, with the federal budget responsible for any deficit. Benefits amount to 50 per cent of earnings and are payable for up to six months (extended to a further 6-18 months for workers with 50-120 months' prior employment); they are conditional on means tests and on a previous employment record of 12 consecutive months, or 18 months in the two years preceding the unemployment.

138. The number of persons seeking work and receiving benefits was given as slightly under 10 thousand in 1971. 112/ Nearly 75 per cent of these were unskilled, and about 34 per cent women; the average duration of the benefit payments was given as 25 days per person. The monthly rate of payment amounted to 407 dinars per person on average, or slightly over 28 per cent of net receipts (income) from employment per person. 112/ The number of persons in this category had dropped sharply in 1971 from a total of 13.7 thousand in 1970 and a recent peak of 32.6 thousand in 1966.

139. In conditions where the employment situation is deemed to be such that no provision for regular unemployment relief is called for, protection against unemployment must be interpreted as a system of safeguards against unjust dismissal and the provision of alternative job opportunities or training in cases of loss of employment through redundancy or other structural causes.

109/ Answer to United Nations questionnaire, 1972.

110/ Byelorussian SSR answer to United Nations questionnaire, 1972, p. 6.

111/ Constitution of the Socialist Federal Republic of Yugoslavia, Constitutional amendments, Belgrade, 1969, p. 44.

112/ Statistički Godišnjak Jugoslavije 1972, pp. 101 and 277.

140. All COMECON countries of eastern Europe prohibit the termination of employment of any worker in contravention of his labour contract without his consent, but all of them provide for important exceptions to this rule for disciplinary or economic reasons, which are specified in the Labour Codes. These provisions are sufficiently similar in the countries under review to be adequately illustrated by the Soviet Code, 113/ which permits dismissal in the following cases:

- (a) Total or partial shut-down of the enterprise;
- (b) Reduction of the enterprise's workload or general cuts in staff (redundancy);
- (c) Stoppage of work for technical reasons in excess of one month;
- (d) Proven inadequacy of the worker to his duties;
- (e) Consistent neglect of duties by the worker without just cause;
- (f) Criminal proceedings against the worker in connexion with his employment;
- (g) Prison terms of more than two months served by the worker;
- (h) Absenteeism without just cause;
- (i) Prolonged absence of the worker due to illness (exceeding four consecutive months), though, in the case of industrial injury or occupational disease, he must be reinstated on recovery;
- (j) Reinstatement of another worker previously employed on the job.

In no case may a worker be dismissed by his employing authority without the consent of the factory, works, or local (trade union) committee. This consent must be based on a full consideration of the case by a session of the committee at which the worker himself must be heard.

141. Similar provisions apply in all Union Republics of the USSR. 114/

142. The Bulgarian Code 115/ specifies in addition that workers may be dismissed on completion of the length of service requirements for a pension, provided they have reached the age of 55 or 50 (in the case of men and women, respectively). It also allows dismissals in cases where a worker refuses to move to another enterprise or to another locality to which the enterprise itself is being transferred. Moreover, it permits dismissals without due notice when the worker

113/ Osnovy zakonodatelstva SSSR o trude. Vedomosti Verkhovnogo Soveta SSSR No. 29 (1531), 22 July 1970, and answer to United Nations questionnaire, 1972.

114/ Answers to United Nations questionnaire by the Byelorussian SSR and Ukrainian SSR, 1972.

115/ Answer to United Nations questionnaire by Bulgaria, 1972.

has been punished for breach of discipline (article 130e) or when substantial evidence of criminal culpability in connexion with his employment has been produced. In the latter case, the dismissal is temporary only, and the worker must be reinstated with back pay, unless formally convicted within two months.

143. In Hungary and Romania 116/ also, dismissals are only allowed for disciplinary reasons when approved by trade union organs, or for reasons of economic necessity (e.g., pit closures).

144. The situation in Yugoslavia is governed by the principles of self-management as promulgated in the Basic Law on Labour Relations. 117/ Articles 2 and 17 of this Law specify that a work community may terminate the work and membership of any of its members only if it establishes that the conditions for his work have ceased to exist, e.g., when workplaces are abolished and no alternative assignments are available, when the volume of operations is permanently reduced or when the worker's capacity falls short of requirements.

145. Most socialist countries of eastern Europe specify particular circumstances in which notices of dismissals cannot on any account be served, e.g., in the case of Poland, 118/ while the worker is on vacation or leave, on military service or in custody; during pregnancy or maternity leave (paid or unpaid); if the worker is an ex-serviceman or disabled war veteran; if the worker is the wife of a serviceman; if the worker has a long service record or if the worker is the sole breadwinner of a household. In addition, special protection is provided for workers who are members of works councils, trade union delegations, labour inspectorates, tribunals or social courts. The protection also extends to employees on leave of absence because of their election to local government, trade union or other political bodies, and to workers performing state or civic duties away from their work places without leave of absence. Exemption from notice of dismissal is also granted to juveniles employed as apprentices or trainees on completion of vocational courses.

146. Similar exemptions apply in Yugoslavia. 119/

147. The most frequent provisions made in the countries under review for termination of employment and re-employment in cases of redundancy may be illustrated by reference to the Labour Code of the USSR. 120/ This provides that, in such cases, management may transfer skilled workers to other operations with their consent and

116/ Information from the Hungarian Central Statistical Office and Romanian Ministry of Labour, September 1972.

117/ Official Gazette of the SFRY, No. 17/1965, and Yearbook on Human Rights for 1965, p. 346 et seq.

118/ E/CN.4/1023/Add.1, pp. 12-13.

119/ Article 17 (8) of the Basic Law on Labour Relations. See also Yearbook on Human Rights for 1965, p. 351.

120/ Kommentarii k zakonodatelstvu o trude, Moscow 1966. Vedomosti Verkhovnogo Soveta No. 29 (1531), 22 July 1970.

terminate the employment of workers in lower skill categories instead, even though the redundancy did not occur in their particular functions. The Labour Code gives relatively greater immunity from dismissal to workers of higher skill and, within each skill category, to workers with greater family commitments. In every case, however, the employing authority is under an obligation to arrange for permanent or temporary re-employment in the same or another enterprise. 121/ Where redundancies are too widespread in a given locality for this to be done, special party and government measures provide for paid retraining, lump-sum benefits, displacement grants, etc. In such cases, responsibility for the eventual reassignment of redundant workers rests jointly on the enterprise administration and the factory, works, or local (trade union) committee.

148. Refusal by a redundant worker to accept the reassignment offer does not save him from dismissal, if the enterprise administration and the works committee concur.

149. Redundant workers do not lose their continuous service credits (stazh) for pensions and other benefits unless they fail to take up other employment within one month of their dismissal (the period of grace is extended in certain cases by special government legislation).

150. Dismissal for reasons of personal unfitness for the job are subject to safeguards similar to those which apply to redundancy, provided there is no culpability on the part of the worker. In cases of unfitness due to deficient health the law requires the employment authority to arrange for a transfer to lighter work.

151. Dismissals for infringement of industrial discipline are allowed only in cases where the offending behaviour is of a prolonged, repetitive or systematic character and the offender has not responded to other social or disciplinary measures. Breaches of discipline previously punished may not be cited in support of the case for dismissal unless the renewed infringement has occurred within one year of the last penalty. In every case, the matter must be referred to the factory, works, or local (trade union) committee.

152. Dismissal without prior warning or other measures is, however, permitted in cases of unjustified absenteeism - where the latter is defined as absence for a whole day or insobriety at work. Even here, however, the Labour Code enjoins rehabilitation measures before dismissal is resorted to.

153. Workers dismissed for infringement of industrial discipline may lose their continuous service credits (stazh), 122/ but trade unions consider it their duty to help such workers find a new job and a new place in society. 123/

121/ See also USSR answer to United Nations questionnaire, 1972, p. 2.

122/ Benefits are not, however, impaired as far as compensation for occupational hazards or industrial accidents are concerned.

123/ Information from government agency, Moscow, October 1972.

154. In the USSR, employing authorities also have the right to dismiss workers who are kept from work by illness for continuous periods in excess of four months, if this is dictated by the needs of production. In such cases, the dismissed worker continues to draw his allowances for temporary incapacity and retains his continuous service credits, regardless of the length of the interruption.

155. In general, enterprises must give two weeks' notice of dismissal and pay the dismissed worker a lump sum equal to his average earnings during a 12-day period. He must be handed his workbook, with the legally required endorsements specifying the precise reasons for his dismissal, e.g., "dismissed owing to redundancy", "dismissed for absenteeism" etc.

156. According to the Model Collective Farm Charter of the USSR, 124/ expulsion from collective farm membership may be employed as an extreme measure against individuals who violate labour discipline 125/ when other sanctions have been found ineffective. The measure requires a resolution of the General Meeting of Collective Farmers, against which an aggrieved member may appeal to the local Soviet. Expelled members are deprived of all rights established in the Collective Farm Charter, including presumably the right to their private plots, except for a small portion of that plot to which all citizens are entitled. 126/

157. While the provisions described above appear to offer ample safeguards against unjustified dismissal, effective protection against involuntary unemployment must also depend on the ease with which persons justifiably dismissed, job-changers or new entrants to the labour force can find - or be found - employment of a kind and in a locality consistent with their reasonable expectations. Serious obstacles in this regard may allow unemployment to be obviated only at the cost of severe restrictions on the free choice of employment.

158. There is some evidence that, in the USSR, state and party authorities became alive to dangers of this sort in the mid-1960s when new Commissions for Job Placement were instituted at district, city, and provincial level. Difficulties and delays in finding employment for secondary school-leavers appear to have been experienced in some Caucasian Republics, with 16 per cent of this group affected in Armenia and 18 per cent in Azerbaidjan during 1966. 127/ Difficulties were also experienced in placing young specialists and school-leavers in agriculture to the full extent that this was planned for, due to the widespread preference for urban work. The problem may have been aggravated by the increased numbers leaving schools in the late 1960s

124/ Resolution of the CPSU Central Committee and the USSR Council of Ministers dated 28 November 1969. See Pravda and Izvestia, 30 November 1969, p. 1.

125/ See also USSR answer to United Nations questionnaire, 1972, p. 2.

126/ According to later information received from a government agency in Moscow in October 1972, all Soviet citizens living in rural areas are entitled to a personal household plot of 0.15 hectare in area.

127/ Trud, 28 March 1967.

/...

and early 1970s 128/ and the current economic reforms which may cause redundancies in industrial enterprises. Other indications of difficulties are the frequent calls for more investment in labour-intensive branches able to absorb redundant workers from elsewhere.

159. Structural employment difficulties appear most markedly in regional form. While the larger towns complain of labour shortages, a considerable number of smaller towns suffer from an excess of labour in search of employment. Government plans and directives often favour the construction of new enterprises in medium and small urban settlements for this reason.

160. Another movement causing difficulties has been the apparently unplanned influx of young people, particularly skilled workers, from the country to the towns. These problems are aggravated by the uncontrolled migration of manpower from Siberia, the Urals, and the Far East towards the labour-surplus regions of central Asia, the Ukraine, and the north Caucasus. 129/

161. There are complaints that the manpower balances drawn up for planning purposes at the territorial (kray) and provincial (oblast) levels are too aggregative to eliminate manpower deficits and surpluses in individual districts. Thus, in Krasnoyarsk Territory, an over-all net deficit of 60 thousand was reported; but this concealed a gross deficit of 15.5 thousand in deficit regions and a gross surplus of 14.9 thousand in others. 130/

162. It appears that 60-80 per cent of new entrants to the labour force are school-leavers and adolescents and that this proportion is increasing. In these circumstances much depends on careers counselling in the pre-employment phase. There is, however, considerable dissatisfaction with this service. The overwhelming number of resignations appear to occur in the first year of employment, suggesting some degree of initial misallocation and disappointed expectations. 131/

163. In connexion with the new rationalization measures in industry, the number of those becoming redundant is expected to increase, and their average waiting period before new employment can be found may well become longer. Plans have therefore been made for increased compensation during this period in the form of better re-training allowances, higher severance pay etc. 132/

128/ Trud, 6 May 1967.

129/ See, e.g., Voprosy ekonomiki, No. 9, 1970, p. 34.

130/ Voprosy ekonomiki, No. 1, 1968, p. 40.

131/ Trud, 24 June 1969 and Zarya Vostoka, 5 June 1969.

132/ Planovo khozyaystvo, 1968, No. 11, p. 16.

D. THE RIGHT OF EVERYONE WHO WORKS TO JUST AND FAVOURABLE
REMUNERATION ENSURING A DECENT LIVING FOR HIMSELF AND
HIS FAMILY

164. The Constitutions and/or Labour Codes of all socialist countries of eastern Europe as surveyed in part I of the report, state that working people must be paid in accordance with the quantity and quality of their work, regardless of sex, age, race or nationality. In addition, it is usually stated that monthly payments for work must, in no case, fall short of a minimum wage established by the State. The significance of the latter, measured as a proportion of average wages earned, will, of course, vary in time, as average earnings rise continuously between the initial year of a new minimum wage and its next revision. The statistical evidence suggests, however, that minimum wages are usually fixed at a level varying between one third and just over a half of average earnings in the country as a whole.

165. In Bulgaria, Resolution No. 49 of 8 October 1966 established a minimum monthly remuneration of 55 leva (or 2.20 per day) for workers and 57 leva for employees. 133/ On 30 August 1969, this was increased (as from 1 April 1970) to 60 leva, to which was added a supplement of 5 leva on the basis of an earlier decree. 134/ Average monthly wages were given as 107 leva in 1967 and 124 leva in 1970, 135/ thus suggesting that the minima payable slightly exceeded 50 per cent of average earnings in the two years in question.

166. In Hungary, the minimum wage of 800 forint per month 136/ amounted to some 36 per cent of average wages in state and co-operative employment in 1971. 137/

167. Polish minimum wages rose from 360 to 700 zloty per month between 1955 and 1961. They were further raised to 750 zloty in 1963 and to 850 zloty in 1966 138/ (without liability for deduction in respect of earning tax - as for all wages under 1,000 zlotys). With average wages at 2,013 and 2,459 zlotys in 1965 and

133/ E/CN.4/1011, p. 4.

134/ Decrees No. 33 of August 1969 and No. 63 of December 1967; see answer to United Nations questionnaire, 1972. In addition, Decree No. 12 of 24 March 1972 raised the minimum pay of mechanics in agriculture from 2 to 2.80 leva per day.

135/ Statisticheskii ezhegodnik stran-chlenov SEV, 1971, p. 389.

136/ Information from the Hungarian Central Statistical Office.

137/ Average monthly wage 1971: 2,201 forint, Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 390.

138/ E/CN.4/1011/Add.1, p. 46, and answer to United Nations questionnaire, February 1971.

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1970. 139/ The minima were just under 35 per cent of the averages in both the years mentioned. In 1971, minimum wages rose to 1,000 zlotys. 140/

168. In Romania, minimum wages were raised from 570 to 700 lei per month with effect from 1 August 1967, and all wages below the new minimum raised by 10.4 per cent. 141/ By 1970 they had risen to 800 lei per month, i.e., to 56 per cent of the industrial and 60 per cent of the agricultural average of that year. 142/ A new minimum of 1,000 lei per month is foreseen for 1972. 143/

169. In the USSR, minimum wages were fixed at 30-35 rubles per month (27 in rural areas) from January 1957. A further increase to 40-45 rubles (40 in rural areas) took place in 1962. In January 1968, this was raised to 60 rubles a month for all wage and salary workers (70 rubles for certain special categories). 144/ Finally, the Twenty-fourth Party Congress decreed a new monthly minimum of 70 rubles for all from 1971 and foreshadowed further rises in the next three years. With average wages at 78, 87, 113 and 126 rubles per month in the four initial years of new minimum wage legislation, the minimum levels appear to have risen steadily from 42 to nearly 56 per cent of the concurrent averages. 145/

170. No data appear to exist on the number of incomes at the legal minimum level, except for a reference to the fact that the 1957 raises affected 6 million wage and salary earners, some of whom found their incomes doubled overnight.

171. In Yugoslavia, minimum wages were stated to be 50 dinars per month, 146/ thus corresponding to about 42 per cent of the 1971 average net income per head (1,432 dinars per year). 147/ The approximate number of persons receiving minimum wages in 1971 was given as 2,000. 148/

139/ Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 390.

140/ Information from the Polish Mission to the United Nations, Geneva, October 1972.

141/ Decision No. 1523 of the Party Central Committee and Council of Ministers (Official Bulletin of the Romanian SR, No. 62, of 11 July 1967); see also Yearbook on Human Rights for 1967, p. 278.

142/ Answer to United Nations questionnaire, 1972.

143/ Information from the Romanian Ministry of Labour.

144/ See, e.g., Yearbook on Human Rights for 1967, p. 337.

145/ Narodnoe khozyaystvo SSSR, various years.

146/ Information from the Federal Secretariat of State for Foreign Affairs, September 1972.

147/ Statistički Godišnjak Jugoslavije 1972, p. 276.

148/ Information from the Research Centre on Living Standards, Belgrade, September 1972.

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172. In the USSR, the new Model Collective Farm Charter 149/ provides for a guaranteed wage component in the payment of collective farm members. The Charter does not, however, give effect to the equalization of pay between collective farm and state farm workers of the same skill categories. Nevertheless, it gives legal recognition to the principle that wage payments should be a prior charge on the collective's income, ranking before tax payments and the formation of collective funds.

173. The wage rates payable to workers in the COMECON countries of eastern Europe are subject to detailed regulation by state organs and trade union bodies and are applied in particular enterprises and work places by the authority of management acting in conjunction with local factory and plant committees.

174. Bulgaria embodies the constitutional requirement of remuneration by quantity and quality 150/ in standard tariff tables for wage rates (approved by the Council of Ministers under article 68 of the Labour Code), differentiated according to the complexity, arduousness and social importance of the work. 151/ Employing agencies are debarred from making deductions from individual wages for social insurance contributions (as these are wholly payable out of their own funds), but members of co-operative farms have 2 per cent of their incomes deducted for pension funds. 152/

175. Similar wage-fixing arrangements exist in other COMECON countries of eastern Europe, though different provisions for the deduction at source of taxes and other charges appear to apply. The situation prevailing in Hungary may serve as an example: there, social insurance contributions of 2-3 per cent are deducted from wages, as well as an income tax, which was stated to average 5-6 per cent in 1972. Young workers between the ages of 18 and 24 who have been exempted from military service are subject to an additional withholding of 12 per cent for a maximum of three years, though this is refunded in full if military service is subsequently undertaken. Up to the early 1950s, there were special taxes on unmarried workers and deductions for state loan subscriptions, but these were abolished in 1952 and 1955, respectively. 153/ Romania also withholds a progressive income tax (whose maximum is 16 per cent) but does not deduct individual contributions to social insurance or compensation charges for exemption from military service. 154/

149/ Pravda and Izvestia, 30 November 1969, p. 1.

150/ Article 41, para. 1, of the Constitution.

151/ Answer to United Nations questionnaire, 1972.

152/ Answer to United Nations questionnaire, 1972.

153/ Information from the Hungarian Central Office of Statistics, 1972.

154/ Information from the Romanian Ministry of Labour, 1972.

176. Overtime regulations may be illustrated from the Polish Labour Code. Overtime working is permitted only in circumstances justified by special need and requires the approval of the appropriate trade union body. It carries extra remuneration of 50 per cent over the basic rate for the first two hours (in excess of eight hours on weekdays and six hours on Saturdays) and 100 per cent over the basic rate for every additional hour or for work performed on Sundays or public holidays. 155/

177. In the USSR, wage-scales for wage and salary earners are categorized and fixed by state organs by agreement with trade union bodies. The complement of jobs and work places to be filled in each enterprise is related to the official wage scales and categories by the enterprise administration acting in conjunction with the factory, works, or local (trade union) committee. Special supplements are payable for heavy, hazardous or detrimental work and for work in regions of harsh climatic conditions, and there are state regulations governing increased pay for overtime, work on public holidays and night shifts. Strict compliance with wage rates and norms is ensured by supervision exercised by state organs (Procurator General's Office, the USSR State Committee on Labour and Wages and the Ministry of Finance) and by the trade unions. 156/

178. The choice between time scales, piece rates or progressive incentive rates rests jointly with the enterprise administration and the works committee, who are also responsible for the setting and changing of output and other norms. In cases of culpable non-fulfilment of norms or the production of reject goods, the payments to the worker responsible are reduced in proportion to the shortfall in performance. Apart from this, however, withholdings from wage payments are permitted only in special circumstances specified by law and may not exceed 20 per cent (in certain cases 25 per cent) of the normal payments due. All wage payments must be settled at intervals not exceeding half a month.

179. The pay of collective farmers is regulated by the Model Collective Farm Charter. This states that piece rates, time rates, a combination of both or any other system of pay (with or without bonuses) may be adopted at the discretion of the Collective Farm Board. Output norms and pay scales are fixed and, when necessary, reviewed by the Board "with the broad participation of collective farm members and specialists". The norms must be adaptations of existing standard norms to the specific conditions of each farm. Apart from the guaranteed pay established by the collective, members receive residual payments in money and in kind dependent on the annual profitability of the farm. Money payments must be made at least once a month, and distributions in kind whenever the produce becomes available. Final accounts between the farm and its members must be settled not later than one month after the annual report has been approved.

180. Income tax payments by USSR wage and salary earners are not insignificant but generally smaller and less progressive than those in Western countries. The total exemption limit has been gradually raised, usually in step with minimum wage

155/ E/CN.4/1023/Add.1, annex, p. 14.

156/ E/CN.4/1011/Add. 3, p. 30.

legislation. Earnings in the first tranche of income above minimum wage levels are usually taxed at the rate of 7.5 per cent, and those in the next tranche additionally at 9 per cent. ^{157/} The standard rate above this is 13 per cent, and no further progression occurs. In the light of this, it may be estimated that USSR deductions from average wages on this score are in the range of 6-9 per cent. There are no social insurance contributions to be paid by individual workers, and rental payments rarely exceed 5 per cent of total wage incomes. But the total abolition of income tax foreshadowed in the early 1960s has not yet been realized.

181. In Yugoslavia, the distribution of income from work is greatly affected by the independent decisions of self-managing work organizations. Although the Constitution stipulates that incomes should depend uniquely on the quantity and quality of work done, this principle is modified to the extent that it conflicts with two other overriding concepts on which the Yugoslav social system rests: the role of the State as guardian of minimum standards, and the freedom of smaller socio-economic associations, notably "work communities", to decide on their own distribution policies in response to market signals. The first concept implies a sphere of social relations (social security, minimum incomes, health and education etc.) in which distribution according to work gives way to distribution according to need. The second principle opens the way to inequalities in the process of efficient adaptation to market incentives, given the imperfect economic conditions still prevailing. Greater demand for the products of a work community or greater endowment of fixed capital inherited from the past will enable it to give liberal returns to members who, working with equal intensity and skill in other communities, would have reaped substantially smaller rewards. This is recognized as inevitable at the present stage and accepted as necessary if the conflict between social injustice and future growth is to be speedily resolved or mitigated by a greater abundance of goods.

182. Individual workers' incomes in Yugoslavia are therefore governed by the rules and regulations adopted by the workers' councils of work communities, all persons employed having been consulted on the matter. The work communities have to meet prior charges on their gross receipts in the shape of (a) legal obligations, such as taxes, interest on business funds and development contributions, and (b) contractual obligations, such as interest on loans, insurance premia and joint investment contributions. The residual income (slightly over 60 per cent of the total on average in the late 1960s) is then available for allocation among investment funds, collective consumption and personal distribution at the discretion of the work community. In recent years, this distribution appears to have averaged 55 to 60 per cent of the amounts disposable. ^{158/} Workers employed in work communities who fail to create adequate incomes or operate at a loss earn reduced (i.e., minimum) personal incomes, which are, none the less, guaranteed by society. These are fixed at the discretion of local government and appear to vary between 50 and 75 per cent of the average personal income earned in the employee's Republic. ^{159/}

^{157/} Income tax and the special tax for bachelors and other unattached citizens earning between 61 and 80 rubles per month was reduced by an average of 25 per cent from 1 January 1968. Yearbook on Human Rights for 1967, p. 338.

^{158/} Milentije Pešakavić, *Twenty Years of Self-management in Yugoslavia*, Belgrade 1970, pp. 30-35.

^{159/} Information from the Federal Secretariat of State for Foreign Affairs, September 1972.

183. In allocating and distributing the earmarked sums to individual workers, however, the work communities must be guided by certain general precepts issued by republican or federal authorities, e.g., that investment funds should, in general, grow faster than consumption funds; that differentials in individual earnings should diminish with increased earning levels; and that the minimal earnings assured by the enterprise when working in normal conditions should be undifferentiated as between individual workers. 160/

184. Average monthly wages in the COMECON countries of eastern Europe have grown very fast in conditions of relative price stability (retail prices rarely rose by more than 2 per cent per year and have been known to decline in some countries in recent years). The much faster growth in Yugoslavia is partly offset by considerably greater inflationary pressure.

Average monthly

<u>wages*</u> (national currency)	<u>Bul-</u> <u>garia</u> (leva)	<u>Czecho-</u> <u>slovakia</u> (krona)	<u>German</u> <u>D.R.**</u> (mark)	<u>Hungary</u> (forint)	<u>Poland</u> (zloty)	<u>Rom-</u> <u>ania***</u> (udex)	<u>USSR</u> (ruble)	<u>Yugo-</u> <u>slavia+</u> (dinar)
1950	46	..	..	681	585	100	64	92++
1955	63	1,186	439	1,129	1,090	146	72	108
1960	78	1,365	558	1,553	1,683	233	81	203
1965	92	1,493	640	1,737	2,013	305	96	501
1970	124	1,936	762	2,152	2,458	392	122	1,173
1971+++	127	2,008	792	2,260	2,582	..	126	1,432

Average annual
growth rate of
monthly wages (%)

1956-1960	4.4	2.8	4.9	6.7	9.0	9.8	2.4	13.5
1961-1965	3.2	1.7	2.7	2.3	3.7	5.6	3.7	19.8
1966-1970	6.2	5.2	3.5	4.4	3.7	5.2	4.7	18.6
1956-1970	4.6	3.3	3.8	4.4	5.6	6.8	3.6	17.2
1971	2.5	3.7	..	5.0	5.0	2.2	3.3	22.1

* Persons employed in state and co-operative sectors (excl. earnings of collective farmers).

** Excluding employment in services.

*** Index numbers (1950 = 100).

+ Net personal receipts of persons employed.

++ 1952.

+++ Obtained by applying growth rates reported for 1971.

Sources: Statisticheskii ezhegodnik stran-chlenov SEV. 1971, pp. 389-392; Economic Survey of Europe in 1971, part II (New York, United Nations, 1972), p. 81; Statistisches Jahrbuch der Deutschen Demokratischen Republik 1972, p. 73; Razvitie ekonomiki stran narodnoy demokratii, Moscow 1961, p. 416; Statisicki Godisnjak Jugoslavije 1972, p. 276.

185. These figures do not take account of the value of social and fringe benefits accruing to workers gratuitously under social welfare and similar legislation. 161/

186. The growth of real wages earned by workers and employees has also been extremely fast during the last three quinquennia in all the socialist countries of eastern Europe. The table below, computed from official sources, gives an indication of relative performance in this field.

Index numbers and growth rates of real wages of employed persons

	<u>Bulgaria</u>	<u>Czecho- slovakia</u>	<u>German Dem.Rep.*</u>	<u>Hungary</u>	<u>Poland</u>	<u>Rom- ania</u>	<u>USSR **</u>	<u>Yugo- slavia***</u>
<u>Index numbers</u>								
1955	100	100	100	100	100	100	100	100
1960	135	126	142	147	128	148	128	147
1965	149	132	161	160	138	181	139	194
1968	177	150	179	174	148	197	157	242
1969	182	156	187	182	151	200	163	258
1970	193	161	197	190	152	216	171	278
1975 plan +	..	184	..	222	179	259	209	..
<u>Average annual rate of growth (%)</u>								
1956-1960	6.2	4.7	7.3	8.0	5.1	8.1	5.1	8.0
1961-1965	2.0	1.0	2.5 ⁺⁺	1.7	1.5	4.1	1.7	5.7
1966-1970	5.3	4.1	3.6 ⁺⁺⁺	3.5	1.9	3.6	4.2	7.5
1956-1970	4.5	3.2	5.0 ⁺⁺⁺	4.4	2.8	5.3	3.7	7.1
1971-1975 plan	..	2.5-3.0	4.3	3.0-3.4	3.2-3.4	3.7	4.1	..

* Per capita real income of households of workers and employers.

** Real incomes of workers and employees per head.

*** Index number of net personal receipts of persons employed.

+ From cumulation of planned annual growth rates.

++ 1966-1968.

+++ 1956-1968.

Sources: Statisticheskii ezhegodnik stran-chlenov SEV, 1971, p. 50; P. R. of Bulgaria Statisticheskii ezhegodnik 1971, p. 279; Czechoslovakia, Statistical Abstract 1971, p. 39; Statistical Pocket Book of Hungary 1972, p. 235; Razvitie ekonomiki stran narodnoy demokratii, Moscow 1961, pp. 314 and 371; Narodnoe khozyaystvo SSSR v 1959 g., p. 100; Statistički Godišnjak Jugoslavije 1972, p. 276; plan documents, as quoted in Economic Survey of Europe in 1971, part II, pp. 135 seq.; Statistisches Jahrbuch der DDR, 1972, p. 352.

161/ In the USSR, for instance, the inclusion of these benefits would raise the 1971 wage figure from 126 to 170 rubles per month.

/...

187. In all the countries under review, growth rates fell abruptly from exceptionally high levels in the late 1950s to lower, but still outstanding, levels in the late 1960s. Everywhere, with the exception of Romania, the early 1960s were a period of relatively slow growth.

188. It is notoriously difficult to compare real wages in different countries, and past attempts to measure wage levels in the socialist countries of eastern Europe against those obtaining elsewhere have yielded unconvincing and widely varying results. It may be more enlightening, therefore, to assess real wages on the basis of studies which have aimed to measure their levels against desirable norms or scientifically based consumption standards as established in these countries themselves.

189. A Soviet inquiry into family budgets in the mid-1960s^{162/} puts the "living minimum" of an urban family of two adults and two school-age children at 206 rubles per month. This implies a low level of consumption, with nearly 56 per cent of income spent on food and an annual per capita intake of 145 kg of bread (in flour units), 137 kg of potatoes, 30 kg of sugar, 44 and 23 kg of meat and fish, respectively, and 124 eggs. With an average wage of 103 rubles per month in 1967, it appears that both parents would have to work in order to achieve this standard, though this does not take account of social benefits and allowances (valued at 35-40 rubles per wage earner). With the average number of 1.6 wage earners per family, the level appears almost out of reach, especially if the working adults were on or near the minimum wage at the time.

190. The same source presents a "rational budget", said to be sufficiently above subsistence level to correspond to a phase of development immediately preceding "consumption under communism". This would require a monthly per capita income of 147.2 rubles, i.e., about 17 per cent above the present average wage of 126 rubles per month (1971) and slightly more than double the current minimum wage. It would seem that a family of four, with both parents in full-time work, with social benefits and subsidies (valued at 44 rubles per month in 1971) could manage to achieve this. It must be stressed, however, that this does not allow for future price cuts which have been foreshadowed.

191. Wage differentials in the USSR, which are widening during the early stages of industrialization, have since narrowed considerably, especially after the substantial raising of minimum wages and low-income earnings in the latest wage reform. An unofficial source, referring to the mid-1960s, states that workers in the top 10 per cent of the earnings scale earned four times as much as those in the bottom 10 per cent. ^{163/}

192. Similar shifts in the percentage distribution of monthly earnings of employed persons appear to have taken place in other socialist countries of eastern Europe, as may be seen from the table below:

^{162/} Sarkisyan and Kuznetsova, *Potrebnost i dokhod sem'i*, quoted in *Voprosy Ekonomiki*, 1969, No. 5, p. 157.

^{163/} *Molodoy komunist*, June 1968.

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Monthly earnings bracket (for units see country headings)	Bulgaria (based on units of 5 leva)		Czechoslovakia (based on units of 100 kcs)		Hungary (based on units of 100 forint)		Poland (based on units of 100 zloty)		
	1957	1962	1959	1964	1958	1968	1956	1964	1970
Up to 10	24.2	4.3	21.5	13.2	19.7	5.6	42.5	9.6	4.2
10 - 12	21.4	12.3	17.0	15.6	18.1)	25.8	16.3	8.1)	
12 - 15*	28.8	32.1	31.7	31.0	24.8)		17.0	15.8)	36.0
15* - 20	15.0	24.5	18.8	23.4	25.3	31.7	14.3	26.4)	
20 - 30	8.8	22.3	10.0	15.3	10.9	20.0	7.9	27.9	34.2
Over 30	1.8	4.5	1.0	1.5	1.2	16.9	2.0	12.2	25.6
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

* In the case of Bulgaria, the brackets should read 12 - 16 and 16 - 20 (i.e., 60 - 80 leva and 80 - 100 leva).

Sources: Incomes in Postwar Europe (Geneva, United Nations, 1967), chapter 8, p. 71, quoting official sources of the countries concerned, and Hungary Today (Budapest, Hungarian Central Statistical Office, 1970), p. 151.

Polish answer to United Nations questionnaire, November 1972.

193. Later data for Poland reveal that in 1968 the lowest-earning fifth of all households earned 10 per cent of all incomes, while the highest-earning fifth obtained 31 per cent, the ratio between the highest and the lowest quintil thus being 3 : 1 and suggesting a comparatively equal distribution. 164/

194. In the USSR collective farm wages have made even greater strides than urban earnings in the last decade, albeit from a much lower level. A guaranteed minimum wage was introduced on most farms in 1966, and the farm boards were encouraged to grant substantial increases in the average pay of members. By 1967, average collective farm wages were said to have reached 90 per cent of the state farm level, which was then 84 rubles per month (i.e., over 80 per cent of the average for wage and salary earners). 165/

195. As in industry, the Government has pursued a policy of reducing wage differentials. Nevertheless, there is evidence that the lowest-paid collective farm workers still have difficulty making ends meet. This impression is reinforced by the wide differentials still persisting between different farms with respect to residual pay (formerly "labour day payments"). In 1968, even with guaranteed wages in operation, the farms of the White Russian Republic paid only 40 per cent of what Estonian farms were able to pay (the latter, however, had achieved a much higher level than the All-Union average).

196. A USSR study reveals that in 1966 the average annual income of a collective farm family amounted to 77.6 per cent of that of an industrial worker's household. 166/ Of their total income, 47.6 per cent came from work on the communal fields, 37 per cent from the private plot, and the rest (15.4 per cent) from state and co-operative funds (presumably pensions and other transfer incomes received by family members).

197. In the wake of the new policy of reorientation towards agriculture which started in the mid-1950s, the lot of the collective farmer has increased out of all recognition. It still needs to be established, however, that the lowest-paid sections on the least profitable collective farms are enabled to reach an acceptable standard of living for themselves and their families at all times.

198. The current five-year plan (1971-1975) foresees a raising of the average monthly earnings of wage and salary earners to 146-149 rubles, and of that of collective farmers to 98 rubles. Incomes up to minimum wage levels will be untaxed, and, starting from 1974, family allowances will be granted to families whose average income per head does not exceed 50 rubles per month. It should be stressed that the Soviet record on price stability has now been excellent for many years, and it is obviously intended that the monetary improvements listed will reflect no more than the real gains in prospect. If this is so, the right "to a decent living" for those who work and their families should be substantially realized by all those covered by the legislation.

164/ Answer to United Nations questionnaire, February 1971.

165/ Ekonomicheskije Nauki, 1969, No. 8, p. 94.

166/ E. S. Rusanov, Moscow, 1971.

E. THE RIGHT OF EVERYONE, WITHOUT DISCRIMINATION OF ANY KIND,
TO EQUAL PAY FOR EQUAL WORK

199. The Constitution and Labour Codes of all the socialist countries of eastern Europe proclaim the principle of absolute non-discrimination and the right to equal pay for equal work. The USSR Constitution, 167/ for example, protects this right in article 123, irrespective of nationality or race, and makes it a punishable offence for anyone to restrict or extend rights on this account or to advocate racial or national exclusiveness, hatred or contempt.

200. The legislation is particularly explicit on the rights of women as participants in the labour force. Article 122 of the Soviet Constitution, to which reference has already been made in part I, for instance, protects their absolute right to equal pay, rest and leisure, education and social insurance, as well as special claims arising from large families, absence of a male breadwinner (in the case of unmarried mothers), pregnancy etc.

201. As a result of this and the general economic climate, the employment of women has increased spectacularly in all the socialist countries of eastern Europe. Between 1955 and 1970, their share in the employed labour force rose from 37 to 46 per cent in Czechoslovakia, from 41 to 49 per cent in the German Democratic Republic, from 32 to 43 per cent in Hungary, from 32 to 40 per cent in Poland and from 46 to 51 per cent in the USSR. In Bulgaria, it increased from 32 to 43 per cent between 1960 and 1970, and, in Romania, from 27 to 30 per cent in the same decade. 168/ In Bulgaria, moreover, 92 per cent of all women of working age (16-54) were stated to have been in full-time employment in 1969. 169/ In Yugoslavia, the share of women in total employment appears to have remained approximately constant between 1966 and 1971 (31 and 32 per cent, respectively). 170/

202. The present very high proportion of women in the Soviet Union employed labour force (51 per cent) 171/ represents a radical increase since 1928, when central planning began. In that year, the proportion stood at barely 25 per cent. While this increase may be accepted as a sign of greater freedom and equality, it will also to some extent reflect the trend towards greater female participation in the search for higher living standards, which is a feature of most industrial

167/ 1936, as amended in 1947. See, e.g., Yearbook on Human Rights for 1947, p. 307. For the Union Republics of the USSR, see *ibid.*, pp. 69 (Byelorussian SSR) and 301 (Ukrainian SSR), and 1948, p. 204 (Russian FSR).

168/ Statisticheskii ezhegodnik stran-chlenov SEV, 1971, pp. 386-387; see also paragraph 4 above.

169/ Answer to United Nations questionnaire, 1972.

170/ Statistical Pocket Book of Yugoslavia, 1972, p. 34.

171/ More than four fifths of all women of working age are active in the national economy - USSR answer to United Nations questionnaire, 1972.

/...

societies. The proportion of women workers in the Soviet Union is particularly high in educational services, trade and catering and health care (including social services), where it is 72, 75, and 85 per cent, respectively. 172/ While these branches account for over one third of all employed women, another third is employed directly on production lines in industry.

203. Among collective farm members working on communal fields, no less than 53 per cent are women, and it seems likely that their participation rate is higher still on the collective farmers' private plots.

204. On the whole, therefore, the percentage of women in the total Soviet labour force may well be equal to their share in the population as a whole (54 per cent in 1969), in spite of the burden of domestic work and child rearing which must still inevitably fall to their lot.

205. Wages and salaries paid to women are legally required to equal those paid to men in the same occupations. Official reports emphasize that this principle is adhered to as far as individual work places are concerned, though breaches do occur in some countries.

206. In Hungary, for instance, it is admitted that there are relatively large differences between the average earnings of men and women. While over 55 per cent of women earned less than 1,500 forints per month in 1968, only 15 per cent of men did so. Correspondingly the proportion of women with earnings above 3,000 forints was only 1.5 per cent, while 12 per cent of men earned more than this. Partial explanations are the relatively recent entry of women into paid employment (which affects their seniority ratings), their generally lower skill categories and their concentration in less arduous and therefore lower-paid forms of employment. It is admitted, however, that vestiges of out-dated attitudes still result in some women receiving lower earnings than men, even when working in identical jobs and achieving identical output. 173/

207. In Poland also, women's over-all earnings tend, in practice, to be lower than those of men, although the principle of equal pay for equal work is enforced by legislation. The discrepancies are said to be due to the fact that women tend to engage in service occupations where pay scales are lower, while men tend to be employed in the goods-producing sectors. Efforts are being made to reduce the discrepancy, particularly by increasing vocational training opportunities for women in the higher-paid trades. 174/

208. While there is no evidence of discrimination in matters of pay between nationalities, races and the sexes, economic life has long been dogged by an endemic bias against those occupied in agriculture.

172/ Vestnik Statistiki, 1972, No. 1, p. 85.

173/ Hungary Today, 1970 (Budapest, Central Statistical Office, 1970), p. 152.

174/ E/CN.4/1024/Add.2, para. 331.

209. Although the USSR was founded on the Leninist alliance between proletariat and peasantry, there was no doubt that from its inception the proletariat was considered the senior partner. The early stages of industrialization relied heavily on a method of financing (in real terms) which exacted great sacrifices from the collectivized sector. Throughout the 1930s agricultural living standards were substantially below those of urban workers, owing to low - or even nominal - procurement prices, high delivery quotas and discriminatory margins on the sale of industrial goods in rural areas. Above all, collective farmers were largely paid on the residual trudodni (labour-day) principle. The payments depended on the collective revenues earned by the farm after payment of taxes, allocations to investment funds etc. and were therefore, in essence, contingency wages which put part of the burden of harvest risks on the shoulders of the individual farm worker.

210. It was only from the mid-1950s on that greater attention began to be paid to standards and incentives on the agricultural front. The trudodni system was abolished, and from 1 July 1966, a guaranteed remuneration (in cash and in kind) was recommended to collective farms which was to be in accordance with the basic wage rates earned by the corresponding categories of workers employed on state farms. This guaranteed wage is backed by the state bank's obligation to advance the necessary loans, if required, and must be paid out at monthly intervals. 175/ In 1971 various Union Republics adopted legislation which enjoined collective farms to raise their wage rates to equality with those paid by state farms at the least. According to information recently received, the collectives have complied with this recommendation, and collective farm wages now exceed those of state farmers in about 30 per cent of collectives, while the remaining 70 per cent have reached equality with state farms in this respect. 176/

211. In most socialist countries of eastern Europe, the incomes of farmers have recently increased considerably faster than those of urban employees. In Hungary, the real income of farmers rose by 25 per cent between 1965 and 1968, while those of workers and employees rose by 17 per cent, 177/ and by 1969, farmers were said to be earning 4 per cent more than workers on average. 178/ Similar relationships emerge from the experience of other COMECON countries (with the possible exception of Poland), as shown in the table below:

175/ Ordinance of 16 May 1966; see Yearbook on Human Rights for 1966, p. 371.

176/ Information from the Trade Union Council of the USSR, October 1972.

177/ "Twenty questions and answers", interview with Rezső Nyers, Secretary of the Central Committee of the Hungarian Socialist Workers' Party, Budapest 1970, p. 38.

178/ Hungary Today, 1970, p. 150.

/...

Annual growth rates in real income per head of population (%)*

		<u>1961-1965</u>	<u>1966-1970</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>
<u>Bulgaria</u>	All earners	4.6	6.0	4.6	5.0	5.0
<u>of which:</u>	Wage earners	2.3	6.8	5.7	4.3	..
	Farmers	7.3	3.9	2.5	3.6	..
<u>Hungary</u>	All earners	3.4	6.0	6	7	5-6
<u>of which:</u>	Wage earners	3.4	5.6	6	7	5
	Farmers	3.4	7.1	5	8	6-7
<u>Poland</u>	All earners	..	..	..	..	..
<u>of which:</u>	Wage earners	..	..	1.7	1.3	5.3
	Farmers	2.5	-	-5.0	-0.7	7
<u>USSR</u>	All earners	3.5	5.9	5.2	5.4	4.5
<u>of which:</u>	Wage earners	1.7	3.7	3	3	..
	Farmers	6.5	..	..	..	..

* Economic Survey of Europe in 1971, part II, p. 89, quoting official sources.

F. THE RIGHT TO REST, LEISURE, REASONABLE LIMITATION OF
WORKING HOURS AND PERIODIC HOLIDAYS WITH PAY

212. The rights which form the subject of this section are proclaimed and guaranteed in all Constitutions and Labour Codes of the socialist countries of eastern Europe. As an example may be cited article 119 of the 1936 USSR Constitution, 179/ as amended in 1947, which states that citizens have the right to rest and leisure, ensured by an eight-hour day for factory and office workers (shorter if working in arduous conditions), by annual vacations and by the provision of sanatoria, rest homes and clubs. Some of these standards have since been further improved.

213. Bulgaria has a 46-hour week and an eight-hour working day, reduced to six hours on the days preceding weekly rest days and public holidays. 180/ This is in force for all workers, except for those in special occupations (harmful to health or hazardous in other ways), whose working hours are reduced. Experiments with a 42-hour week of five working days were started some years ago in two okrugs (provinces) and 600 enterprises. The transition to this régime of work is expected to be completed by 1975. 181/ Eventually, all those on a 46-hour week will have their hours reduced to 42 1/2, those on a 42-hour week to 40 and those on a 36-hour week to 35. These reductions are not to affect wages and salaries. 182/ Young people between 16 and 18 years of age work only six hours per day, and all workers have the right to continuous rest periods of 12-16 hours between working days and to 38 hours each week. 183/

214. In accordance with article 52 of the Labour Code, all workers with at least eight months' service to their credit are entitled to paid annual leave of 14 working-days (for less than 10 years' service), 16 working-days (for 10 to 15 years' service) or 18 working-days (for over 15 years' service), while additional leave is given to those in dangerous or harmful occupations, to "shock-workers", extramural students and others. 184/

215. The Czechoslovak Labour Code of 1965 (section 83) provides for a 46-hour week, which has, however, been reduced to 42 1/2 hours since then (and to 41 1/4 and 40 hours in certain branches of production). The weekly working hours must be distributed in such a way that no more than nine hours are exceeded on any day, and an uninterrupted rest of at least 12 hours between any two shifts is allowed. Workers must also be given uninterrupted rest periods of at least 32 hours in each week. Annual paid holidays are fixed between two and four calendar weeks per year,

179/ Yearbook on Human Rights for 1947, p. 307.

180/ Article 39 of the Labour Code.

181/ Information from the Bulgarian Ministry of Labour, September 1972.

182/ E/CN.4/1011, pp. 2-3.

183/ Answer to United Nations questionnaire, 1972.

184/ Answer to United Nations questionnaire, 1972.

depending on the worker's age, and more favourable conditions are granted to those in particular occupations. 185/ The gradual introduction of a five-day week was provided for in a notification issued by the Ministry of Labour and Social Affairs on 15 May 1968. 186/

216. The Hungarian Labour Code of 1951 laid down an eight-hour day within a 48-hour week for all workers in industry, trade and offices but left the hours of rail transport workers to be fixed on a monthly basis (not exceeding 240). By an Order dated July 1967, the hours of work in industry and construction were to be progressively reduced to 44 per week between 1 July 1968 and 31 December 1970, leaving enterprises themselves the option of achieving this by the reduction of working hours each day or the granting of an extra rest day per week. 187/ Most enterprises appear to have chosen a work régime involving alternate Saturdays off. Paid annual holidays rise from a minimum of two weeks to a maximum of one month, depending on length of service. There are additional "premium holidays" granted at the discretion of enterprises. Workers under 18 years of age work a maximum of six hours per day and have one month's paid annual leave. 188/ The usual privileges are granted to workers in dangerous or harmful occupations.

217. Working hours in Poland are statutorily set at eight hours per day (six on Saturdays) and may not exceed 46 hours a week. A working week of 42 hours is, however, in operation in various branches of industry, especially those working on a round-the-clock basis, and in all branches of administration and government services (education, health, research, publishing etc.). Workers in unhealthy or onerous employment work a six- or seven-hour day only (i.e., 36 or 42 hours per week). 189/ The abolition of night shifts in 1968 shortened the working week to 44 hours in the textile industry. 190/ About 15 per cent of the labour force at present benefits from reductions in the working week below the statutory length of 46 hours. It is intended to introduce a 42-43-hour working week with free Saturdays for all in the mid-1970s. 191/

218. Under the Act of 29 April 1969, the system of paid annual holidays is now unified for workers and white-collar employees, providing for 14 days after one year's service, 17 days and 20 days after three and six years' service, respectively, and 26 working days for all who have worked 10 years or longer. The qualifying

185/ E/CN.4/1023/Add.4, p. 5.

186/ E/CN.4/1024, para. 114.

187/ Information from the Hungarian Central Statistical Office, September 1972; see also E/CN.4/1024, para. 114.

188/ Hungary Today, 1970, p. 147.

189/ E/CN.4/1023/Add.1, annex, p. 13.

190/ E/CN.4/1011/Add.1, p. 45.

191/ Answer to United Nations questionnaire, February 1971.

period of service includes not only actual employment but attendance at schools above the primary level (vocational, secondary and higher education). 192/ In these conditions, every worker has the possibility of an annual entitlement of 26 working days by the time he has reached the age of 26 or 27. Under an Act of 4 February 1949, an Employees' Holiday Fund was set up by the trade unions, enabling all workers with at least one year's trade union membership to take holidays at reduced cost (depending on their monthly earnings). Enterprises also subsidize holidays and other recreational rest periods from their own funds. 193/ In 1970, about 2 million workers and their families benefited from cheap holidays in spas and health resorts.

219. According to Polish statistics, man-hours per worker in socialized industry were distributed as follows in two bench-mark years: 194/

	<u>1960</u>	<u>1970</u>
Normal work	2,068.3	2,004.3
Overtime work	96.4	67.4
Holidays	128.1	160.4
Sick leave	92.7	111.5
Unjustified absence	10.5	7.5
Other non-working time	44.3	40.8

220. Romanian regulations provide for a maximal working week of 48 hours and a working day of eight hours.. Easier conditions are granted to those on arduous, dangerous or harmful work, and night work is limited by special legislation. Workers under 18 are limited to a six-hour day within a working week of 36 hours. 195/

221. Act No. 26 of December 1967 196/ establishes paid annual holidays of 15 to 24 working days, depending on length of service, and of 18 to 24 working days for those under 18 years of age (depending on age). Extra paid holidays are foreseen for those on special locations or working under exceptional conditions and additions of two to five working days for employees in managerial or similar positions. 197/

192/ E/CN.4/1024, para. 118.

193/ E/CN.4/1023/Add.1, p. 16.

194/ Answer to United Nations questionnaire, February 1971.

195/ Information from the Romanian Ministry of Labour, September 1972.

196/ Official Bulletin of the Socialist Republic of Romania, No. 113, 28 December 1967.

197/ Yearbook on Human Rights for 1967, p. 279.

222. The Basic Labour Code in operation in the USSR 198/ since 1 January 1971 prescribes a normal working week of 41 hours for all wage and salary earners and promises further reductions as economic development proceeds. Workers under 18 are restricted to a 36-hour week, and those under 16 (who may be at work in exceptional cases only) to one of 24 hours. There is also a legal maximum of 36 hours for those working in conditions detrimental to health, regardless of age.

223. The work week normally consists of five days at work and two days off (or, in exceptional circumstances, of six days at work and one day off), with a maximum of seven working hours per day (excluding obligatory breaks for food and rest). Overtime work is only allowed in exceptional cases and with the consent of factory, plant, or local (trade union) committees and must not exceed four hours in any two-day period, or 120 hours in any year. The weekly period off work must not be shorter than 42 hours, during which it is illegal for any authority to require the performance of work. Exceptions to this may be allowed in special circumstances with the concurrence of the works committee, in which case the worker must be paid double the normal rate.

224. There are eight listed public holidays in each year.

225. All wage and salary workers are given a minimum of 15 days' holiday per year 199/ (one month for those under 18) during which they are entitled to the full amount of their average pay. Extensions of this minimum period are foreshadowed in the legislation. Supplementary leave is allowed to workers in special occupations or regions, and short compassionate leave without pay may be granted by employing authorities in cases of need.

226. As far as collective farms are concerned, the new Model Charter 200/ is much less explicit on members' rights to rest and leisure. It states that the length and detailed schedules of the working day on collective farms is governed by the regulations or statutes of each collective, as are annual paid vacations, days off and minimal labour participation on the communal fields. Conditions are said to vary according to geographical area, age and sex composition of the membership, time of harvest etc.

227. In gauging the time effectively available for rest and leisure, some account should be taken of the proportion of wage earners among the adults of an average household. It seems probable that this is high in the Soviet Union and other socialist countries, in line with their settled policy of increasing the employment of women in the labour force. If this is so, the time that can be spent free from domestic chores, child minding, travel to and from work etc. may be substantially affected.

198/ Osnovy zakonodatelstva SSSR o trude. Vedomosti Verkhovnogo Soveta SSSR No. 29 (1531), 22 July 1970. An eight-hour working day was adopted as early as October 1917.

199/ Increased from 12 days from 1 January 1968 (Order of the Council of Ministers of 26 September 1967).

200/ Pravda and Izvestia, 30 November 1969, p. 1.

228. In Yugoslavia, workers are guaranteed a 42-hour working week, spread over five or six days, and many work organizations have recently switched to the five-day per week option. 201/ Since 1 January 1968, employees of the Federal Government and its agencies are working a 41 1/2-hour week spread over five days. 202/

229. The general 42-hour week was originally guaranteed in the Constitution of April 1963, together with the Basic Act of 4 April 1965, which provided for the gradual introduction of this régime within five years. By the beginning of 1968, 77.4 per cent of all work organizations, employing two thirds of the labour force, had completed the transition, 203/ which is now universally complete.

230. After 11 months of service, all employed persons acquire the right to paid annual leave between 14 and 30 working days, depending on length of employment, efficiency and working conditions. In exceptional circumstances, workers may be granted up to 60 working days paid annual leave. 204/

G. THE RIGHT TO FORM TRADE UNIONS AND TO JOIN
THE TRADE UNION OF ONE'S CHOICE

231. The concept of a trade union for a socialist society, as developed by Lenin, does not involve the usual emphasis on the self-defence of workers against the pressure of hostile vested interests but stresses the educative and supportive role of the organization in a process of state- and party-guided development. The trade unions are seen as "transmission belts" between the worker and the party and, as such, partake equally of the nature of organs of self-protection from below and of authority from above. They are formally independent of the state apparatus and not subject to registration or control by any organs of the State.

232. The essentially supportive role of trade unions is spelled out in the statutory documents defining their function. In Bulgaria, for instance, the Trade Union Constitution adopted in 1966 calls on the unions to "mobilise workers for State and economic management". In the Labour Law of April 1961 of the German Democratic Republic, the unions are enjoined to "mobilise the entire working class and intelligentsia to fulfil economic plans" and to "promote a high level of socialist work morale and the rapid growth in labour productivity". Again, the January (1969) Plenum of the Central Council of Trade Unions of Romania defined as the unions' task "the mobilization of the working people... in order that they might fulfil and overfulfil their tasks under the plan". A similar redefinition of trade union functions took place in Poland in 1968.

201/ Facts about Yugoslavia, Belgrade, p. 86.

202/ Ordinance of 1 November 1967; see E/CN.4/1024, para. 114.

203/ E/CN.4/1024, para. 114.

204/ Facts about Yugoslavia, Belgrade, p. 86.

/...

233. In Hungary, the recent reforms of the economic mechanism have resulted in the granting of certain powers to the unions which appear to go beyond the purely supportive role in which they are traditionally cast. Hungarian trade unions are now empowered to veto management decisions in order to prevent infringements of the Labour Code or of collective contracts in certain circumstances. This power, however, is circumscribed by various conditions which have the effect of keeping the essentially supportive role of the unions largely intact.

234. Yugoslavia is the only socialist country of eastern Europe in which the unions are seen as concentrations of interests which may be separate from, and even opposed to, the interests of state and economic units of administration. Even here, however, their supportive role continues to exist, and while they are defined as "independent socio-political organizations of the working class and the working people", they are clearly assigned the role of assisting in "the construction of socialism on the basis of self-management". The Sixth Trade Union Congress of June 1968, however, made it clear that the unions would act as pressure groups to further the interests of workers, even to the extent of opposing the Government.

235. In Bulgaria, the Constitution guarantees workers the right to organize trade unions. Membership is voluntary and on a democratic basis. In 1970, Bulgarian trade unions had a membership of nearly 2.5 million workers and employees. 205/

236. In Czechoslovakia, under article 5 of the 1960 Constitution, the working people can form voluntary associations, particularly the Revolutionary Trade Union Movement, for the development of joint activities, for full and active participation in the life of society and the State and to ensure the exercise of their rights. At present, the Revolutionary Trade Union Movement is the only one to exist. It arose after the Second World War through a voluntary merger of all trade unions then in existence and now organizes 90 per cent of all working people. 206/

237. In Poland, as in Bulgaria, Hungary and Romania, trade unions are organized on a vertical (i.e., professional) basis, and their membership embraces the vast majority of employees working in the national economy. 207/

238. Article 126 of the 1936 USSR Constitution guarantees all citizens of the USSR the right to unite in public organizations, among which trade unions are named in the first place. There are 25 trade unions in the USSR, organized on a branch (industry-wide) basis and affiliated to the All-Union Central Council of Trade Unions (AUCCTU). Each of them has its own statutes, adopted at trade union congresses and registered with the AUCCTU. The unions organize trade union

205/ E/CN.4/1024/Add.3, para. 42.

206/ E/CN.4/1023/Add.4, p. 5.

207/ E/CN.4/1011/Add.1, p. 47.

committees at republican, territorial, provincial and enterprise level. The Chairman's report to the fifteenth Congress of Trade Unions (March 1972) stated that, in January 1972, union membership had reached over 98 million, of whom 3 million were engaged in collective farm production. 208/

239. According to the Basic Labour Code, the Soviet trade unions represent the interests of workers and employees in all that concerns production, working and general conditions and cultural amenities. They participate in, and are consulted on, all decisions of management in these matters and exercise supervision over their implementation on the shop floor.

240. Trade union organization reaches down to factory and plant level in all the socialist countries of eastern Europe. Local trade union committees, or their equivalents, have special rights and responsibilities defined in each country's Labour Code, trade union constitution or special legislation.

241. In the Soviet Union, the factory, works, and local committees of the trade unions have special responsibilities and rights which are laid down in the new Statute of September 1971. 209/ This specifies that the committees supervise the fulfilment of legislation on pay, tax deductions, sanitation and hygiene within their enterprises, that they collaborate with management on job evaluation for various entitlements (free issues of work clothes or food, rest periods etc.) and that they draw up vacation rosters, shift schedules etc. They examine labour disputes on the application of individuals and investigate complaints. The committees are also in charge of state social insurance for the workers of the enterprise, fix their benefits and pensions, grant passes to sanatoria and health resorts and collaborate with management in the allocation of housing space. In addition, they form sub-committees on wages and norms, and possibly workshop committees, with whom the rank and file worker is in direct contact.

242. It will be evident from this that the individual worker's standard of living (and that of his family) depends to a large extent on the decisions of his works committee and on those reached by the latter in collaboration with the management of his enterprise. Where there are conflicts of interest between a worker and management, the position of the works committee appears to be that of an adjudicator, frequently representing the community at large, and not of a presumptive champion of the worker in disregard of wider interests. To that extent, the functions of the trade unions, as seen by the socialist State, are in sharp contrast to those with which trade unions are normally invested in capitalist and most other countries. The freedom to form trade unions as guaranteed by legislation, therefore, in practice means the freedom - and indeed the obligation - to accept membership in a pre-established organization within one's enterprise which combines the defence of workers' interests with the overriding requirements of economic development as seen by the Party and State.

208/ Report of the AUCCTU to the fifteenth Congress of Trade Unions of the USSR, 20 March 1972, p. 45.

209/ Statute on the Rights of the Factory, Works, and Local Committees of Trade Unions, ratified by the Presidium of the Supreme Soviet of the USSR on 27 September 1971 (Vedomosti Verkhovnogo Soveta SSSR No. 39 (1593)).

243. There appear to be no provisions for the unionization of collective farm members, since these are participants in co-operative ventures rather than employed persons. Their defence against actions of the Collective Farm Board, which may be felt to trespass on individual rights, must therefore rest on their ability to mobilize the General Meeting of Collective Farm Members or, in extreme cases, on their access to civil courts. Specialists and trained mechanics in collective farms, however, may be given membership rights in the primary trade union organizations which now exist in all collectives and organize about 3 million working people (1972). 210/

H. THE RIGHT TO STRIKE

244. The typical situation with regard to strike action in the COMECON countries is total absence of references in the legislation to the possibility of such an eventuality arising in the normal life of the country. The Constitutions neither permit nor prohibit strikes, and official explanations stress that this is due to the total irrelevance of such action in socialist conditions. Thus, Czechoslovakia reports that "in the legal system, the right to strike is not explicitly regulated; however, there is no legal provision that would prohibit or restrict strikes". 211/ A Polish submission states: "The right to strike is not a subject of legislation in Poland. Strikes are not prohibited by law. The socio-political framework of the Polish system, involving the exercise of power by the parties of the working classes, the nationalization of the basic factors of production and the planning of the national economy, are a guarantee that the interests of employees will be respected, and, accordingly, strikes are not a necessary form of regulating the distribution of national income". 212/ Similar positions are taken by the other COMECON countries of eastern Europe.

245. Although the constitutional position with regard to strikes in Yugoslavia is similar to that of the COMECON countries, it is recognized that in the period since January 1958 (the date of the first Slovenian strike), a number of workers' strikes have, in fact, taken place. Some of these may have had the encouragement of higher authority to the extent that they enforced a better implementation of the principles of self-management. In Borba (Belgrade) of 16 June 1971, the President of the Republic spoke approvingly of one particular strike action, though he has stated elsewhere that he does not believe in strikes in general. Moreover, it is foreshadowed that the text of the new Code for Self-Management will recognize that, in cases where the workers' rights cannot be properly protected through customary procedures, the self-managers (i.e., workers) have the right to initiate "a collective action aimed at re-establishing self-managing relations". This is stated to be the first time "that a public document recognizes the reality

210/ Report of the AUCCTU to the fifteenth Congress of the Trade Unions of the USSR, 20 March 1972, p. 45.

211/ E/CN.4/1023/Add.4, p. 6.

212/ E/CN.4/1011/Add.1, p. 47.

that, under certain conditions, strikes appear in our society as the last weapon in the workers' struggle for their rights. 213/

I. SUMMARY

246. It may be concluded that the rights connected with the securing and retention of employment, just and favourable working conditions and remuneration, sufficient rest and leisure, and freedom from discrimination are broadly ensured by state legislation and by the supervisory organs of the State, Party and the trade unions. The presumed identity of interests between these and the individual minimizes many familiar obstacles to the social and economic development which the leadership is concerned to promote. The same presumption may, however, result in an unquestioned predominance of collective interests where conflict between individuals and authority arise.

213/ Borba, 29 August 1972.

Chapter II

THE RIGHT TO SOCIAL SECURITY, INCLUDING SOCIAL INSURANCE IN THE
EVENT OF UNEMPLOYMENT, SICKNESS, DISABILITY, WIDOWHOOD, OLD AGE
OR OTHER LACK OF LIVELIHOOD IN CIRCUMSTANCES BEYOND ONE'S CONTROL

247. The Constitutions of the socialist countries of eastern Europe confer on all citizens the right to social insurance against foreseeable human conditions of increased need and/or reduced earning power. As already pointed out in part I, relevant provisions are contained in article 43 of the Bulgarian Constitution (1971), article 23 of the Czechoslovak Constitution (1960), article 47 of the Hungarian Constitution (1949), article 60 of the Polish Constitution and article 20 of the Romanian Constitution (1972). An example may be cited from the USSR Constitution of 1936, as amended in 1947, which (in article 120) guarantees the right of citizens to maintenance in old age, sickness or disability. It states that this guarantee is backed by the extensive development of social insurance for wage and salary earners at state expense, by the provision of free medical services for working people and a wide network of health resorts, sanatoria etc. 1/

248. Article 38 of the Yugoslav Constitution states that "in accordance with the principles of reciprocity and solidarity, workers shall be insured under a uniform social security system established by federal statute.... Health care and other social security benefits shall be established by statute for other citizens as well. The Social Security Service shall be managed by the insured directly and through bodies which they shall themselves elect and recall." 2/

249. In Bulgaria, the social insurance system covers the whole working population and is governed by three basic sets of provisions applying to separate categories of the insured population: 3/

(a) Compulsory state social security for persons employed in state, social, private or mixed enterprises and members of liberal professions; it also covers technicians, mechanics and administrators working in co-operative farms, but not the rank and file members of these farms. The scheme is governed by the Labour Code and derivative legislation 4/ and financed entirely from employers' contributions (at present fixed at 12 1/2 per cent), the Government being responsible for any deficits. No contribution is paid by the individuals insured. 1,

1/ See, e.g., Yearbook on Human Rights for 1947, p. 307.

2/ The Constitution of the Socialist Federal Republic of Yugoslavia; constitutional amendments, Belgrade 1969, p. 45.

3/ Answer to United Nations questionnaire, 1972.

4/ Labour Code, part III, articles 145 to 163, and Regulations for its Application; Decrees published in Izvestia, 13 November 1951, 5 August 1961 and 13 March 1962, amended and supplemented.

/...

(b) Compulsory social security for members of co-operative farms, with provisions closely analogous to (a), except for a 2 per cent contribution imposed on the individuals insured (in addition to the 12 1/2 per cent paid by the co-operatives) and a different rate of children's allowances, for which only the third and subsequent children in a family are eligible. This scheme was introduced as from 1 September 1967 and is governed by a special Pension Law for Co-operative Farmers 5/ and a National Assembly Decree of 1967. 6/ Private farmers benefit only from pension rights, as regulated by the Social Security Law of 1949.

(c) Mutual social security of members of producers' co-operatives. This is regulated by the Labour Code and is in every way analogous to state social security, except for the field of its application.

250. There is also partial security for the self-employed craftsmen and professionals who make up 0.14 per cent of the country's working population and are outside the compulsory system, though this is confined to old-age and disability pensions. 7/

251. Apart from the exceptions referred to, the insurance scheme is comprehensive and covers Bulgarian workers and their families in all cases of temporary or permanent incapacity for work. The compulsory insurance principle now applies to over 99.8 per cent of those insured and covers all insurance cases of ILO Convention No. 102. 8/

252. Retirement pensions for men of 60 and over (with at least 25 years' service) and women of 55 and over (with at least 20 years' service) are payable at the rate of two thirds of the average earnings of the insured (calculated from three consecutive years within the last decade of his working life at the choice of the pensioner). 9/ Increments of 2 per cent (to a maximum of 12 per cent) are payable for every year worked beyond the qualifying period of service, and deductions are made for shortfalls below that period, provided always that the pension does not fall below a statutory minimum. 10/ The pension is reduced by any excess in take-home pay (pension plus wage) over 300 leva per month.

253. Permanent disability pensions are paid at the rate of 40-65 per cent of average earnings during the last year of work (55-85 per cent if due to work injury), with the higher rates applying to lower wage categories, plus increments

5/ Izvestia, 23 June 1961.

6/ State Gazette, 27 June and 25 August 1967.

7/ Pension Law of 1957, part V, published in Izvestia, 12 November 1957, amended and supplemented.

8/ E/CN.4/1011, pp. 5-6.

9/ Ribarski K., Social Security in Bulgaria, Sofia, 1969, p. 29.

10/ The minimum was raised to 50/55 leva per month from 1 June 1972. Information from Bulgarian Ministry of Labour, September 1972.

/...

of 5, 10, and 15 per cent for length of service exceeding 10, 15, and 20 years, respectively, all subject to a statutory minimum (which is higher in the case of disability from work injury). Constant-attendance supplements are also payable.

254. Survivor pensions are payable to dependent children, aged or invalid parents or spouses etc. at the rate of 50 per cent of permanent disability pensions for one eligible survivor, 75 per cent for two survivors and 100 per cent for three survivors or more.

255. Sickness benefits are from 60 to 90 per cent of earnings (depending on length of service) during the first 15 days and 10 per cent higher after that.

256. All medical care for residents and their dependants is free and provided directly to the patient through the facilities of the national health service.

257. In Czechoslovakia, health insurance and other social insurance schemes are separately administered, the former by the Revolutionary Trade Union Movement 11/ and elected committees in employing establishments, and the latter by the State through the National Social Security Office and subordinate bodies. 12/ The health insurance, as well as social security of co-operative farmers, is also regulated by the State. 13/ Self-employed farmers and others are under special regulations, and, under two Ordinances of 1970 and 1971, their pensions can be raised by social welfare agencies. 14/

258. It should be noted that an Act dated 19 December 1968 repealed section 141 of the Social Security Act of 1964, which authorized the people's committees to suspend part of the benefits payable to persons who had played an important part in the former political and economic system. 15/

259. Retirement pensions for men over 60 (55-58 if on unhealthy or onerous work) and women over 53-57 (according to number of children raised) are payable on a non-contributory basis to employees and on a contributory basis to members of agricultural co-operatives and the self-employed. They are fixed at 50 per cent of average earnings during the last 5 or 10 years plus 1 per cent for every year of employment between 26 and 35 years, subject to statutory minima and maxima. An Act of 1970 provided that pensions which are the only source of a pensioner's income may be increased to 500 kcs per month, or to 850 kcs if the pensioner has a dependant. These limits were further increased to 550 and 900 kcs, respectively, in 1971. 16/ There are 4 per cent increments per year for deferral of pensions after pensionable age and dependants' supplements.

11/ Collection of Laws, Acts Nos. 16/1959, 58/1964, 65/1965, 87/1968 and 88/1968.

12/ Governed by Acts Nos. 101/1964, 89/1968, 71/1970 and 106/1971.

13/ Act No. 103/1964 and numerous amendments.

14/ E/CN.4/1023/Add.4, p. 7.

15/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-sixth Session, vol. B, part 4 B (Geneva, ILO, 1971), p. 19.

16/ Collection of Laws, Nos. 71/1970 and 106/1971.

260. Permanent disability pensions are fixed on the same principle, except that the basic rate rises from 50 to 60 per cent of earnings in cases of disability through work injury. There are constant-attendance supplements and pro-rated pensions available to the partially disabled.

261. Widows' pensions at 60 per cent of the deceased's pension are payable to all widows for 12 months; thereafter, only to those widows who are over 50, have a dependent child or have reared three children (or are over 45 and have reared two children). There are also orphans' pensions, subject to minima and maxima.

262. Sickness benefits are paid at 50-70 per cent of earnings (according to length of service) for the first three days of the disability, and at 60-90 per cent of earnings from the fourth day, for up to one year, or two years if recovery is likely. These benefits are non-contributory as far as the individual is concerned and financed by 10 and 15 per cent payroll contributions from public and private enterprises, respectively. Medical care is free to all, including the dependants of the insured.

263. In the German Democratic Republic, the bulk of social insurance is administered by the Trade Union Federation and trade union committees at lower level.

264. Retirement pensions (a basic monthly amount plus 1 per cent of average monthly earnings multiplied by the number of years of insurance) are available to men at 65 and women at 50 (or earlier for miners) but need not be taken up if continued work is preferred. The pensions carry dependants' supplements and are subject to a minimum and a maximum of 80 per cent of covered earnings. Individuals contribute 10 per cent of earnings, if employed, and 14-17 per cent of income, if self-employed; employers pay 10 per cent of their payrolls, and the Government finances any deficit remaining.

265. Permanent disability pensions are fixed on similar principles, though the basic monthly amount is smaller. Minima and maxima are the same as those for retirement pensions. If the disability is due to a work injury, the basic pension is $66 \frac{2}{3}$ per cent of earnings for total disablement. There are dependants' supplements and lower scales for partial disablement.

266. Widows' and orphans' pensions are 60 and 30 per cent of the deceased's pension, respectively, subject to minima and maxima.

267. Sickness benefits are contributory in the same way as retirement pensions and are payable at the rate of 50 per cent of current earnings (with 10-30 per cent supplements from the employing establishment) during the first six weeks and may rise by an additional 40 per cent of earnings after that. They are payable for 26 weeks, which may be extended to 39 weeks, if recovery is likely within that period. Medical benefits for the insured and his dependants are free.

268. In Hungary, 17/ workers and employees are entitled to retirement pensions equal to 50 per cent of their average monthly earnings (over the last five years),

17/ Hungary Today, 1970, p. 154.

supplemented by a 1 per cent addition for each year they have spent in full-time employment. The retirement age is 60 for men and 55 for women (but less for those on heavy or hazardous work), and the qualifying length of service 25 years; for shorter service, there are pro-rated reductions in the size of the pension. The pensions are subject to statutory minima and maxima, and there is a supplement for a dependent spouse, if the pension is below a fixed limit.

269. Retirement pensions for members of agricultural co-operatives are governed by different provisions. They are fixed at 33 per cent of monthly average earnings for 10 years' service, supplemented by a 2 per cent increment for every additional year worked. They come into operation at the age of 65 for men and 60 for women and are conditional on at least 20 years' membership in the co-operative.

270. Both types of retirement pension are contributory, with individual contributions assessed on earnings according to a progressive scale. Employing establishments contribute 10 per cent of their payrolls, and the State finances any deficit (usually about 40 per cent of cost).

271. In January 1970, some 600,000 retired workers and employees received monthly pensions averaging 952 forints (about two thirds of the average wage of that year), while 181,000 received an average of 515 forints a month. Co-operative pensions averaged 516 forints, and those of former members of craftsmen's co-operatives 799 forints. 18/

272. Permanent disability pensions are fixed at 50 per cent of average earnings during the last five years (or 60 per cent in the case of disability from work injury) plus 1 per cent for each year of insurance. There are pro-rated reductions for partial disability and constant-attendance allowances of 10 per cent of earnings.

273. Widows' and dependent widowers' pensions of 50 per cent of the deceased's pension are payable to persons who were 55 or over at their spouses' death, invalid or caring for two or more children, and orphans' pensions of half that amount are also payable. Other surviving spouses receive these pensions for one year only.

274. Sickness benefits 19/ usually amount to 75 per cent of normal wages (50 per cent when the worker is in hospital). Persons with less than two years' service to their credit receive 65 per cent of their normal wages. The benefits are subject to statutory maxima and are payable for up to one year (or up to the patient's previous length of service, if this is less).

275. Medical services are provided directly to patients free of charge through the facilities of the national health service, but out-patients pay 15 per cent of the cost of medicines (other than life-saving medicines) and 15-25 per cent of the cost of appliances.

17/ Hungary Today, 1970, p. 154.

18/ Ibid., p. 155.

19/ Ibid., p. 156.

276. Since June 1972, the social security system covers the total population, including those who are not insured. Starting from 1971 pensions will be automatically raised by 2 per cent in January of each year to mitigate the effects of inflation. 20/

277. In Poland, the proportion of the population entitled to social security benefits of one kind or other rose steadily from 47 per cent in 1950 to 60 per cent in 1960 and 78 per cent in 1972. From this year onwards, almost the whole population will be covered. 21/

278. All employed persons are protected by social insurance by virtue of the contributions of their employers (10 and 15.5 per cent of payrolls for state farms and state enterprises, respectively, and 18 and 30 per cent for farms and enterprises in the private sector). Individual employees contribute only 3 per cent of their earnings for retirement and permanent disability pensions (deductable from the general wage tax due). The legal principles of social insurance are based on the 1933 Act on sickness and maternity insurance, the 1947 Decree on family insurance, and the 1954 Decree on universal pensions. 22/ The outstanding characteristics of the social security system as it operates at present are its comprehensiveness (covering all foreseeable situations of need, sickness, maternity, support of family, retirement, disability etc.), 23/ its universality (covering at present 78 per cent of the population and shortly to be extended also to self-employed farmers), its uniformity and its accessibility (releasing individual beneficiaries from bureaucratic formalities and administrative charges). 24/

279. While private farmers and others were outside the general system of social insurance certain interim solutions were applied. They were, for instance, entitled to use the public health service facilities on payment of reduced fees, adjusted to their means (free of charge in the case of social or infectious diseases), and benefited from free medical assistance to mothers and infants in the first year after birth. 25/

20/ Information from the Hungarian Statistical Office, September 1972.

21/ Answer to United Nations questionnaire, 1972 and statistical appendix.

22/ Monograph on the Organization of Medical Care within the Framework of Social Security, Poland (Geneva, ILO, 1968), p. 3.

23/ Z. Bajszczak and M. Winiewski, Problèmes de la protection sociale des travailleurs en République Populaire de Pologne, Warsaw-Geneva, June 1972, pp. 6-7.

24/ In the late 1960s, it was extended to private taxi operators, old farmers who wished to transfer their holdings to the ownership of the State, operators (on commission or agency basis) of shops, bookstores, restaurants or cafés, filling stations, tourist facilities or other establishments and their associates (Ordinances of 6 September 1966, 24 May 1968, 20 March and 1 April 1968, and Act of 24 January 1968); see E/CN.4/1011/Add.1, pp. 47-48.

25/ E/CN.4/1024/Add.2, paras. 334-337.

280. Retirement pensions are assessed on average earnings during the last working year (or during the best two years in the decade preceding retirement) and are fixed at 80 per cent of those earnings on the lowest tranche (up to 1,500 zloty per month) plus 55 per cent on the next tranche (1,500 to 2,000 zloty) plus 25 per cent for the highest tranche (above 2,000 zloty). There are increments of 1 per cent of the basic pension for each year of work in excess of 20 years, and the pensions are subject to minima and maxima (95 per cent of earnings). Entitlement starts at 65 years for men and 60 for women (lower for underground or unhealthy work, work at sea and teaching), provided there is a work record of at least 25 years for men and 20 years for women. The average monthly retirement pension paid rose from 989 zloty in 1965 (1,836 zloty from miners' scheme) to 1,561 zloty in 1971 (2,647 zloty from miners' scheme). This represents an increase from 40 per cent of the average wage level to over 60 per cent of that level. 26/

281. Permanent disability pensions are fixed in a similar way, except that the proportions to be applied to the successive tranches of previous working income are somewhat lower (65, 30, and 20 per cent, respectively), and there are fixed supplements for low pensions and increments of up to 7.5 per cent of the pension for 5-15 years of continuous employment. Partial disablement brings entitlements to lower pensions. A constant-attendance supplement is also available. 27/

282. The number of persons drawing retirement or permanent disability pensions increased from 987,000 in 1950 to 1,369,000 in 1960 and 2,327,000 in 1970, thus accounting for over 7 per cent of the total population. The sums paid out for these pensions quintupled in the first decade and rose by another 79 per cent in the second, suggesting average monthly receipts by pensioners of 127, 676, and 1,207 zloty in 1950, 1960 and 1970, respectively. 28/ In the last year given, this corresponds to half the average wage earned in all branches of the national economy.

283. Survivors' pensions for the first survivor are similar to permanent disability pensions in their mode of assessment and scaled down for second and third survivors. 29/ They are subject to minima and to supplements payable to full orphans.

284. Sickness benefits are non-contributory and conditional on four weeks' employment before the onset of sickness (or 26 weeks in the last year). They are fixed at 70 per cent of average earnings over the preceding 13 weeks and are payable for up to 26 weeks (with possible extension to 39 weeks, if a cure is probable).

26/ Polish answer to United Nations questionnaire, November 1972.

27/ In cases of disability from work injury, the pension is fixed at 90 per cent of earnings plus constant-attendance supplements. The minimum is about 10 per cent higher than for ordinary disability pensions.

28/ Answer to United Nations questionnaire, 1972.

29/ In the case of death from work injury, the first survivor is entitled to 60 per cent of the insured's pension, two survivors to 75 per cent and three survivors to 85 per cent.

285. Medical benefits are free to patients within the social insurance scheme and provided directly through the public health services.

286. A special programme for the social protection of old people living with their families has been worked out for the period 1972-1975. 30/

287. In Romania, social insurance is entirely financed by the State, without any contributions 31/ from wage earners. There are special schemes for members of liberal professions and agricultural and handicrafts co-operatives. The finance is regulated by the State Social Insurance Budget, which is drawn up jointly by the Ministry of Labour and the Central Council of Trade Unions. Its total expenditure in 1971 was given as 11.9 billion lei, implying a growth factor of 14.4 since 1950. 32/

288. Employees' retirement pensions are payable to men at age 60 and to women at age 55 after 25 years of employment (20 years for women), 33/ with lower requirements for workers in arduous and dangerous occupations and women who have reared three or more children. The pension is assessed on average base earnings during the five best consecutive years of the last working decade (or the last 15 years, if at least 10 of them were spent in arduous or dangerous work). It is calculated by applying percentages ranging from 50 to 85 per cent to eight tranches of the reference wage in descending order (the rates are 5 or 10 per cent higher for arduous or dangerous work). There are increments of 5 per cent of earnings for each year spent in employment beyond the qualifying period and pro-rated reductions for a shorter service record. The pensions are subject to a legal minimum of 60 per cent and a maximum of 90 per cent of wages, with an absolute minimum of 715 lei per month. 34/ Supplementary pensions range from 5 to 14 per cent of the reference wage, according to years of contribution. Social assistance is available in cases of ineligibility for retirement pensions. Pensioners may work for four months each year without any deduction from their pensions, but 50 per cent is deducted in any month worked in excess of this; they may also opt for half-time work while retaining their full pensions. 35/

289. Permanent disability pensions are payable at the rate of 60 per cent of the lowest tranche of average earnings (95 per cent where the disability is due to work injury) plus a descending percentage for higher tranches, also depending on length of service. There is a statutory minimum and a constant-attendance allowance.

30/ Analyse des déclarations présentées par les gouvernements et les organisations internationales, The Hague, UNO, 22-26 August 1972, p. 49.

31/ An exception to this are optional contributions of 2 per cent of earnings for supplementary pensions.

32/ Analyse des déclarations présentées par les gouvernements et les organisations internationales, p. 21.

33/ Retirement, however, is not compulsory before the age of 62 (men) and 57 (women).

34/ Information from the Romanian Ministry of Labour, September 1972.

35/ Information from the Romanian Ministry of Labour, September 1972.

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290. Survivors' pensions are 50 per cent of the insured's pension for one survivor, 75 per cent for two and 100 per cent for three or more.

291. Sickness benefits are not subject to a minimum qualifying period and are fixed at 50 to 85 per cent of earnings, depending on length of service. They are payable at half these rates for the first three days and at full rate thereafter, until recovery or the award of a permanent disability pension.

292. Medical benefits through the public health service are free.

293. The USSR, as the first country proclaiming its commitment to the path towards communism, was the pioneer in social security legislation among the socialist countries of eastern Europe. One of the earliest legislative acts of Lenin's Government was the ratification of a Statute on the Social Security of Working People by the Soviet of People's Commissars on 31 October 1918. 36/ This covered all persons who did not employ hired labour, without exclusions of any kind, and provided for medical services, cash benefits for temporary or permanent disability, unemployment pay, maternity benefits and retirement pensions. The Statute was greatly expanded and modified in Lenin's lifetime 37/ and formed the basis of subsequent social legislation in the USSR. At the present time, the State's permanent commitment to this legislation is expressed in article 120 of the 1936 Soviet Constitution, which confers on all citizens the right to maintenance in old age, sickness or disability. It states that this right is ensured by the extensive development of social insurance at state expense, by the provision of free medical services for working people and by a wide network of health resorts for their use.

294. Post-war social legislation was greatly strengthened by the 1956 Law on State Pensions, which provided for a large increase in coverage, and by the 1964 Law "On Pensions and Benefits for Collective Farm Members", which established a unified pensions system for all social groups in the country. By 1970 annual state expenditure on social security had reached 21.1 billion roubles, of which 16 billion accounted for the payment of pensions. 38/ The total figure for 1972 is expected to be 25.8 billion roubles. 39/

295. The Basic Labour Code, in operation since 1 January 1971, 40/ extends the state social insurance system to all factory and office workers, to be financed

36/ Postanovlenie SNK ot 31 Okt. 1918g. "Ob utverzhdenii polozheniya o sotsialnom obespechenii trudiashchikhsya", see, e.g., Leninskie dekrety o sotsialnom obespechenii, Moscow 1972, pp. 9-30.

37/ Lenin himself signed more than 60 decrees on social welfare and security during the years 1918-1921, and, by the end of 1920, the number of persons receiving disability pensions had risen to 1 million; see answer to United Nations questionnaire, 1972.

38/ Answer to United Nations questionnaire, 1972.

39/ Information from the Soviet Social Security Office, October 1972.

40/ Osnovy zakonodatelstva SSSR o trude; Vedomosti Verkhovnogo Soveta SSSR, No. 29 (1531), 22 July 1970.

/...

entirely by obligatory contributions from employing authorities (enterprises, institutions etc.), without deductions from the personal pay of workers. Benefits comprise allowances for temporary incapacity to work (including pregnancy and confinement), allowances for newborn children, funeral expenses and pensions for retirement, disability or loss of breadwinner. There are also pensions for the completion of prescribed lengths of service for certain categories of workers. Other benefits include the cost of stays in sanatoria or rest-homes, special diets etc. The payment of pensions is governed by the All-Union Law on State Pensions.

296. The Model Collective Farm Charter of November 1969 41/ guarantees collective farmers retirement and disability pensions and pregnancy and childbirth allowances from the Centralized Union Social Security Fund for Collective Farmers, which is formed from contributions paid by the collectives. The Charter also confers on the General Meeting of each collective farm the right to make supplementary payments to all forms of pension to which collective farmers are entitled, as well as the right to establish personal pensions or give other material assistance to veterans and disabled farm members without alternative means of support.

297. Pensions, the basic form of social security benefit in the USSR, are payable to: (a) retired people, (b) the disabled and (c) those who have lost their breadwinner. Moreover, certain categories of persons (doctors, teachers, pilots etc.) receive pensions for length of service in their occupations, regardless of age or disability rating. 42/

298. Eligibility for retirement pensions arises at age 60 for men with at least 25 years' service and at age 55 for women with at least 20 years' service. For those on underground, harmful or arduous work, the qualifying ages are reduced to 50 and 45 years, and the minimal length of service to 20 and 15 years for the two sexes, respectively. There is an intermediate category of work (lumbering, construction, rail transport and other heavy work) which carries eligibility at ages 55 and 50 after minimal service of 25 and 20 years for men and women, respectively. Moreover, women who have borne and reared five or more children receive pensions at 50 years of age after 15 years' service, as do blind men. 43/ In 1968, the qualifying ages were reduced by five years in the case of workers who were disabled veterans of the Second World War, women textile workers on intensive work assignments and workers who had completed 15 years in regions of the far north (or 20 years in scheduled territories of similar rigour). 44/ In the same year, the right to pensions of collective farm members was established, with the same age qualifications as for the employed (60 for men and 55 for women). In all cases, reduced pensions (pro-rated) are available to those who retire before completing the qualifying length of service.

41/ Resolution of the CPSU Central Committee and the USSR Council of Ministers, 28 November 1969; see Pravda and Izvestia, 30 November 1969.

42/ Answer to United Nations questionnaire, 1972.

43/ Blind women become entitled at age 40 after 10 years' service.

44/ Answer to United Nations questionnaire, 1972.

/...

299. Retirement pensions are assessed on average earnings during the last 12 months of work (or during the best five consecutive years of the last decade) and calculated by applying proportions between 50 and 100 per cent to successively lower tranches of the assessable income (with 5 per cent incremental rates for dangerous work). At present, the average pension exceeds 65 per cent of average earnings before retirement. In accordance with the Directives for the Ninth Five-Year Plan, the minimum retirement pension was raised from 30 to 45 roubles per month for wage and salary workers (38.25 roubles in rural areas) and from 12 to 20 roubles per month for collective farmers. The rises took effect on 1 July 1971. There appears to have been no provision for the raising of the maximal limits, which stood at 120 and 102 roubles per month for state and collective farm workers, respectively (or 100 per cent of earnings).

300. Increments of 10 per cent of pensions are payable for 15 years' uninterrupted work with the last employer and for a total record exceeding the qualifying period by 10 years. There are also supplements of 10 per cent of the pension for one dependant and 15 per cent for two or more. The pensions are normally 15 per cent lower in rural areas, if the pensioner is in agriculture.

301. Persons of retirement age who wish to continue work cannot legally be refused employment or dismissed on the grounds of age. They are entitled to their full pension, in addition to their wages, if they work as production workers, helpers, foremen etc., or to one half of their pension, 45/ if working as engineers or technicians in industry, transport etc. The total take-home pay, however, must not exceed 300 roubles per month (i.e., 2.4 times the national average wage in 1971). 46/

302. In 1971, 5.2 million out of a total of 26 million persons of retirement age opted for continued work and drew their wages and pensions at the same time. 46/

303. Permanent disability pensions are payable to disabled workers with a minimal service record, depending on their age 47/ (this is waived in the case of disablement from work injury). They are fixed at 65 per cent of the lowest tranche of earnings (90 per cent in the case of works injury) plus 10 per cent of higher tranches, subject to monthly minima and maxima (which are higher in the case of works injury). There are constant-attendance allowances and supplements for continuity of work with the last employer, as well as for dependants. The great majority of the permanently disabled receive pensions equal to 100 per cent of their former earnings. 48/ Pensions are, in general, 15 per cent lower in rural areas.

45/ 75 per cent if located in Siberia, the Urals, or far eastern territories.

46/ Information from the Social Security Office, Moscow, October 1972.

47/ E.g., men between 20 and 23 require a service record of two years (women one year only), those between 23 and 26, three years (two years in the case of women), those between 31 and 36 years, seven years (five for women) etc. Answer to United Nations questionnaire, 1972.

48/ Answer to United Nations questionnaire, 1972.

/...

304. Survivors' pensions are payable to widows of 55 or over (or younger widows, if invalid or caring for a child), to widowers of 60 (or younger, if invalid), to children, siblings or grandchildren under 16 (or under 18, if in full-time education) and to dependent parents. They are fixed by applying a statutory percentage to the lowest tranche of income (this is higher in the case of death from work injury) and 10 per cent to the rest. The statutory percentage rises with the number of dependants. There are increments of 10 and 15 per cent for 10 and 15 years' continuous service with the last employer and higher rates for service in difficult or dangerous occupations. The pensions are subject to minima and maxima, depending on the number of survivors, and are, in general, 15 per cent lower in rural areas.

305. The total number of persons entitled to a pension of one sort or another was given as 42 million in 1971. 49/

306. Sickness benefits are not conditional on minimum service records but require six months' employment in the case of those who left their previous job voluntarily and did not start their new work within one month. They are fixed at various percentages of normal earnings, rising with the number of years worked in the same enterprise (100 per cent, if that number exceeds eight), and are 10 per cent lower in rural areas. Only half the normal rate is payable to those who are not members of trade unions. The benefits are subject to minima and maxima and are payable from the first day of incapacity until recovery or the award of a pension.

307. The payment of all benefits is arranged by the administration of the workers' enterprise or collective farm, and no burden of formalities or financial charges devolves on the individual. 50/

308. Medical benefits provided directly to the patient within the framework of the national health service are free of charge. Patients outside hospitals, however, do pay for medicines prescribed and for part of the cost of appliances.

309. The State also pays an allowance of 16 roubles per month to invalids who are unable to work, regardless of age, and makes provision for similar ex gratia allowances to unattached and incapacitated people of advanced age whose service records are insufficient for normal pension rights. Invalids are given all necessary assistance for rehabilitation, and for those whose incapacity is permanent or prolonged, there are 1,500 state invalid homes dispersed throughout the country. 51/

310. In Yugoslavia, the right to social security is defined in article 38 of the Constitution in the following manner:

49/ Information from the Soviet Social Security Office, October 1972.

50/ Answer to United Nations questionnaire, 1972.

51/ Information from the Soviet Social Security Office, October 1972.

311. In accordance with the principle of reciprocity and solidarity, workers shall be insured under a uniform social security system established by federal statute. On the basis of compulsory social security, workers shall enjoy health care and other rights in case of illness, reduction or loss of working capacity and old age. In the event of death of an insured person, health care and health benefits and other rights stemming from social security shall be enjoyed, under conditions determined by statute, by the dependants of the deceased. Health care and other social security benefits shall be established by statute for other citizens as well. The Social Security Service shall be managed by the insured directly and through bodies which they shall themselves elect and recall. 52/

312. In accordance with the constitutional amendments of 1971, state budget financing of social security is being gradually eliminated in favour of financing by enterprises and citizens, in line with the strong movement towards self-administration in this field. In this process, the Communes, rather than the State, are becoming the main organs of social administration, while the Federation retains only limited powers (chiefly exercised for the protection of war veterans and planning in under-developed regions). Apart from the Communes, special responsibilities in social administration have devolved on Provinces and Republics and on local interest groups and social organizations. 53/

313. By law and contracts, the system of social insurance has been expanded to cover all categories of citizens and members of their families (including self-employed persons and private farmers). Employers' contributions vary among Republics and Districts, subject to a statutory maximum of 15 per cent of payroll. Contributions levied on the personal income of the insured are limited to a maximum of 19.5 per cent in the country as a whole and are determined by the Social Insurance Assembly. Local or communal social insurance institutes may prescribe additional rates up to 2.5 per cent. Two separate funds are formed from these contributions - one for health insurance and the other for retirement and disability pensions - both of them administered by the insured themselves, organized in communal and republican social insurance communities and the Yugoslav Social Insurance Community. 54/

314. Retirement pensions are payable at any age after 40 years of insurance (35 in the case of women) or at age 60 (and 55 for women) after 15 years of insurance, with lower requirements for those in arduous or unhealthy occupations and actuarial reductions if standard requirements are not met. The pensions are fixed at 35 per cent of average earnings, usually calculated on the basis of the best five years of the last decade and revalued to take account of movements in the national

52/ E/CN.4/1011/Add. 7, pp. 12-13.

53/ Analyse des déclarations présentées par les gouvernements et les organisations sociales, p. 81.

54/ Facts about Yugoslavia, Belgrade, p. 83.

average of all wages. The percentage rises to 40 per cent in the case of women. There are increments of 2-3 per cent of earnings for years of insurance exceeding 15, and the total pension is subject to a maximum of 85 per cent of the earnings base. There are also automatic annual adjustments of outstanding pensions for 3 per cent changes in the cost of living. 55/

315. Permanent disability pensions under general regulations were paid to over 392,000 persons at the end of 1971. 56/ Their payment is conditional on length-of-service requirements, which depend on age and sex. They are fixed at 34 to 40 per cent of earnings, according to wage class, plus long-service increments and constant-attendance supplements. There are no minimum qualifying periods, if the disability is due to work injury, and the pension rises to 100 per cent of earnings (according to wage class), if the person is totally disabled.

316. Survivors' pensions are paid to widows over 45 and to women who are invalid or caring for a child when widowed; they are also paid to widowers who are invalids or over 60, to children under 15 (students under 26), dependent parents, grandchildren and siblings under certain conditions concerning age and health. The benefits are fixed at 70 per cent of the deceased's pension entitlement for one survivor, 80 per cent for two survivors, 90 per cent for three, and 100 per cent for four or more.

317. Sickness benefits are payable without length-of-service requirements but are larger if minimal periods of insurance have been exceeded. Their amount is fixed by the local health insurance association, subject to a minimum of 60 per cent of earnings, and are paid by the employing organization for the first 30 days. Entitlements start from the first day of incapacity until recovery or the award of a disability pension. In cases of work injury, 100 per cent of earnings is payable.

318. As mentioned before, Yugoslavia is the only socialist country of eastern Europe to provide for unemployment benefits under that name. These are non-contributory, as far as the individual is concerned, and are fixed at 50 per cent of earnings. They are conditional on either a work-record of 12 months immediately preceding unemployment or 18 months' work in the last two years; they are also subject to a means test on the beneficiary's household and require regular reporting and registration at an employment office. Unemployment benefits are payable for up to six months, which may be extended by an additional 6-18 months for workers with 50-120 months' prior employment.

55/ Osnovni zakon o penzijskom osiguranju-OSOP0, article 102.

56/ Yugoslav Survey, May 1972, p. 95.

Chapter III

THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

A. THE RIGHT TO ADEQUATE FOOD

319. There is no longer any significant difference between the socialist countries of eastern Europe and the most advanced nations of the West as far as per capita calorie and protein consumption is concerned, although the percentage of nutrient derived from animal products is still considerably lower in the east:

Consumption per head per day
(middle and late 1960s)

	Calories	Of which of animal origin (%)	Proteins (in grammes)	Of which of animal origin (%)
Bulgaria	3,070	13	91	..
Czechoslovakia	3,030	27	83	..
German Dem. Rep.	3,040	37	76	..
Hungary	3,130	34	98	41
Poland	3,140	30	93 ^{a/}	40 ^{a/}
Romania	3,010	17	97 ^{a/}	29 ^{a/}
USSR	3,180	21	92	..
Yugoslavia	3,190	19	93	23
Germany, Fed. Rep. of	2,960	39	81	52
United Kingdom	3,150	40	88	54
United States of America	3,200	40	96	69

Sources: La région de la CEE en chiffres (New York, United Nations 1972), p. 78; 1970 Report on the World Social Situation (United Nations publication, Sales No.: E.71.IV.13), p. 178.

^{a/} 1960-1962 average.

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320. The impressions of the last paragraph are confirmed when the food intake is further analysed:

Consumption or available supplies in kg per head

		Meat and fat (incl. Milk and veg. oils)	Fish and products	Fruit products	Vege- tables	Sugar	Pota- toes	Cereals	
Bulgaria	1970	56	160	5.2	n.a.	118	33	26	174
Czechoslovakia	1970	76	196	5.2	n.a.	84	38	110	118
German Dem. Rep.	1970	68	108 ^{a/}	7.9	n.a.	82	34	154	97
Hungary	1967	74	105	1.1	70	81	32	85	134
Poland	1960- 1962	60	189	3.6	22	9	30	200	149
	1970	62	408	6.2	n.a.	..	39	197	132 ^{b/}
Romania	1963	40	128	2.6	53	67	14	65	190
USSR	1960	45	240	9.9	n.a.	70	28	143	164
	1970	55	307	15.4	n.a.	83	39	130	149
Yugoslavia	1966	42	108	0.7	66	57	24	65	190
Germany, Fed. Rep. of	1967/ 1968	97	204	5.8	112	63	35	110	70
United Kingdom	1967/ 1968	96	219	9.5	51	63	49	103	73
United States of America	1967/ 1968	130	243	6.2	87	98	48	48	65

Sources: Statisticheskii ezhegodnik stran-chlenov SEV, 1971, pp. 50-51;
1970 Report on the World Social Situation, pp. 176-177.

a/ 1968.

b/ 1969.

/...

321. As may be seen from the table, the remarkable progress made in the socialist countries has brought them well within sight of the standards of the most developed nations in all but meat and fat consumption. In the USSR, this is to some extent made good by the much larger fish intake per head of population. In respect of this, the Soviet Union is second only to the traditional fishing nations of Scandinavia, Spain and Portugal, and the Pacific (Japan, the Philippines and Taiwan). In milk and vegetable consumption, the Soviet consumer had reached western European standards by the mid-1960s. His sugar consumption still lags some 15 per cent behind the large sugar eaters of the Anglo-Saxon world, though it already outstrips consumption standards of continental western Europe. The per capita intake of cereals in most countries of eastern Europe is still more than twice that of western countries, indicating some lack of quality and variety in the rest of the diet.

322. The latest figures breaking down per capita food consumption into that of collective farmers and state workers and permitting comparison with absolute standards set by the countries themselves refer to the USSR in the year 1968:

	<u>Over-all average a/</u>	<u>Wage and salary earners^{a/}</u>	<u>Collective farmers a/</u>	<u>Scientific norms of consumption^{b/}</u>
Meat and fats (incl. vegetable oils)	54	58	43	82
Milk and products	285	290	268	433
Fish and products	14	16	9	18
Vegetables	79	83	65	146
Sugar	37	39	33	36
Potatoes	131	125	151	97
Cereals and pulses	149	142	172	120

a/ Ts. S.U., Narodnoe Khozyaystvo SSSR v 1968 godu, Moscow, 1968, p. 595.

b/ Planovoe Khozyaystvo, 1969, No. 12, p. 49.

323. As may be seen, collective farmers were still noticeably behind the predominantly urban wage and salary earners in the consumption of all quality foods but made good for this by consuming more of the staple items of lower quality.

324. The last column of the table shows the consumption norms considered desirable by the Soviet nutritional experts on scientific and medical grounds. The figures may not be directly comparable with western consumption statistics due to different definitions and coverages. They do, however, show the progress which still

/...

remains to be made if the Soviet consumer is to reach the relatively high standards which Soviet scientists have worked out for him. ^{1/}

325. Up to the early 1950s food consumption standards in the USSR must be described as low. The per capita consumption of meat and fats (including vegetable oils) was no more than 29 kg per year, thus barely reaching the standards of the poorer South American countries today (e.g., Bolivia and Peru). Fish consumption, at a level of 7-8 kg per year, could hardly make up for this, while per capita consumption of sugar was considerably less than half the level of the 1960s. Potatoes and cereals, on the other hand, were consumed in very large quantities and made up the bulk of the population's diet. Given that collective farmers were even more disadvantaged compared with the urban population than they are now, it must be inferred that their food consumption was at danger level, and possibly below it at certain times.

326. It was only after the wholesale reorientation of economic policy in favour of agriculture in the early 1950s that nutritional standards began to improve. The process quickly gained momentum and continued at a very fast rate. The standards now reached may be described as proper safeguards of the right to adequate food of the average consumer. If there are still infringements of this right, these must be due to inefficient or unequal arrangements in the distribution of incomes and benefits. There appears to be no evidence that these are large or systematic in their effects on nutritional standards.

B. THE RIGHT TO ADEQUATE CLOTHING AND HOUSING

327. The growth in per capita consumption of textiles, clothing and foot-wear in the socialist countries of eastern Europe was at least as fast as the growth in food intake during the last 10-20 years. Comparative levels of production and growth in retail sales per head of population are shown in the following table, compiled from official COMECON statistics.

^{1/} It will be seen from this and the previous table that the advanced western countries cited do not conform to these standards: meat and sugar consumption appears excessive and milk, vegetable, and fish consumption deficient. Among the socialist countries, only Czechoslovakia and Hungary are within sight of the standard in meat consumption, and only Poland and the USSR come near it in the consumption of milk and milk products.

/...

		<u>Bulgaria</u>	<u>Czecho-</u> <u>slovakia</u>	<u>German</u> <u>Democratic</u> <u>Republic</u>	<u>Hungary</u>	<u>Poland</u>	<u>Romania</u>	<u>USSR</u>
<u>Production per head*</u>								
<u>Cotton fabrics</u>								
<u>(m²)</u>	1950	9.8	28.6	10.1	19.4	16.0	9.1	15.2
	1960	31.4	33.2	24.2	24.7	20.4	13.5	22.6
	1970	32.9	35.2	26.1	29.5	25.8	21.6	25.3
<u>Wool fabrics</u>								
<u>(m²)</u>	1950	1.7	6.1	5.1	2.8	3.2	1.4	1.1
	1960	3.3	5.4	8.1	3.1	3.7	1.6	2.0
	1970	4.4	5.8	6.9	3.6	4.2	2.9	2.6
<u>Artificial</u>								
<u>fibre (kg)</u>	1950	-	2.1	5.1	0.4	1.0	0.1	0.1
	1960	-	4.6	9.0	0.4	2.6	0.2	1.0
	1970	2.7	6.9	12.6	0.9	4.2	3.8	2.6
<u>Foot-wear</u>								
<u>(pairs)</u>	1950	0.2	3.0	1.8	0.7	0.6	0.6	1.1
<u>(leather or</u>	1960	1.2	4.2	3.1	2.1	2.0	1.2	2.0
<u>substitute)</u>	1970	2.0	7.1	4.3	3.5	3.3	2.6	2.8
<u>Retail sales per head</u>								
<u>at const. prices in</u>								
<u>1970 (as % of</u>								
<u>1960)**</u>								
Knitwear		130 ^{a/}	263 ^{b/}	123	223	282	221 ^{d/}	329
Other clothing		174	131	132	132	173	245	199
Socks and stockings		121 ^{a/}	176	94 ^{c/}	143	215	-	257
Foot-wear		189	153	144	146	145	180	177

* Statisticheskii ezhegodnik stran-chlenov SEV 1971, pp. 113-115.

** Ibid., pp. 325-329.

a/ Based on 1968.

b/ 1969.

c/ 1967.

d/ 1966.

/...

328. In spite of considerable progress, present consumption levels are still below those of the most developed countries, and quality, variety and adaptability to consumer tastes leave much to be desired. In the USSR, for instance, there are persistent complaints about the production of wrong sizes and about shortages of children's clothes and foot-wear (no doubt partly due to insufficient price incentives to producers). Recently, however, serious attempts were made to increase the responsiveness of producers to consumer demand, and a large number of manufacturing enterprises were released from their previous dependence on centralized output plans and told to produce to the order books of the trading organizations. It is clear, in any case, that the minimum needs implied in the term "adequacy" are broadly being met at the present time. Occupational and work clothing has always been available free of charge in accordance with standards established for each enterprise and administered by the factory, works, or local (trade union) committee.

329. Although the USSR has led the world in the sheer volume of housing construction in the recent past, the housing situation presents one of the weakest aspects in the Soviet welfare scene and has done so throughout Soviet history. The large influx into urban areas at the peak of the industrialization programme of the 1930s was inadequately catered for, and there appears to have been a sharp decline in per capita living space from an already low level to its lowest ebb just before and during the Second World War. At that time, the figures may have been two thirds below the normal levels of developed countries and barely more than half the nine square metres per person established as the standard norm in the Russian Republic some 20 years before. It may be said with some justice that, apart from the depression of living standards in agriculture, the brunt of the real sacrifices of rapid industrialization and rearmament before the war was borne by city and country dwellers in their capacity as tenants or occupiers.

330. Improvements began to be made in the early 1950s, and, by the end of the decade, urban housing standards, measured in living space per person, may have reached 40-50 per cent of those prevailing in western Europe. 2/ The figures might look more favourable to the USSR if the number of dwellings per capita were used in the comparison, but this would conceal probable differences in the average size of dwellings in the countries being compared.

331. In the second half of the 1950s housing construction doubled, then continued to grow at a reduced rate and appears to have reached its present plateau of over 100 million square metres (floor space) per year in the late 1960s. The collective farm section of the programme showed a special spurt in the late 1950s but then fell back gradually to its present level of 16-20 million square metres per year. 3/

2/ Comparisons in respect of floor space, as opposed to living space, could be misleading because of the greater prevalence of shared corridors, passages, kitchens and bathrooms in the USSR.

3/ Ts. S.U. SSR, Narodnoe khozaystvo SSSR v 1970 godu, p. 538.

	Bul- garia	Czecho- slovakia	German Democratic Republic	Hun- gary	Poland	Rom- ania	USSR	Yugo- slavia	Germany (Federal Republic of)	United Kingdom	United States of America
A. Dwellings completed per 10,000 inhabitants*											
1950	..	29 ^{a/}	17	38	24	30 ^{a/}	60	18 ^{a/}	86 ^{a/}	45 ^{a/}	106 ^{a/}
1960	63	54 ^{b/}	47	58	48	64 ^{e/}	122 ^{b/}	36 ^{b/}	101 ^{b/}	56 ^{b/}	79 ^{b/}
1970	54	85	45	60 ^{f/}	59	80	94	63	78	66	71
1971	57	76	51	73	58	73	94	61	91	67	83
Annual average 1971-1975 (plan)	58	70	58	77	65	51	95	..	..	..	..
B. Useful dwelling space in 1,000 sq m completed per 10,000 inhabitants											
1950	..	2.49	.98	..	1.20	..	2.24	..	..	..	..
1960	3.56	3.26	2.58	3.34	2.73	3.09 ^{e/}	5.11	..	..	..	..
1970	3.43	5.34	2.50	3.74 ^{f/}	3.25	3.61	4.37	..	..	..	..
C. Useful space in sq m per dwelling completed in year**											
1950	..	..	58	..	50	..	37	41 ⁺⁺
1960	56	..	55	58	57	48 ^{e/}	42	44 ⁺⁺
1970	64	63	56	62 ^{f/}	55	45	46	46 ⁺⁺
D. Stock of dwellings per 1,000 inhabitants											
1960	253 ^{e/}	288 ^{d/}	326 ^{c/}	280	248	..	8.32 ^{+h/}	233 ^{g/}	309 ^{d/}	321 ^{d/}	..
1970	268	312	350	299	256	..	10.99 ⁺	245	339	344	..
1971	..	..	354	313	259	..	11.15 ⁺	249	349	349	..

Sources: Statisticheskii ezhegodnik stran-chlenov SEV 1971, pp. 6, 178, 179; Statisticki Godisnjak Jugoslavije 1971, p. 288. Mirovaya ekonomika i mezhdunarodnye otnosheniya, No. 9, 1972, p. 157; United Nations, La région de la CEE en chiffres, New York; Annual Bulletin of Housing and Building Statistics for Europe, 1965 (United Nations publication, Sales No.: 66.II.E.2), pp. 78 and 79, and 1971, pp. 15-27; Bulgarian answer to United Nations questionnaire, 1972; plan documents.

* Construction started (1950, 1960); residential buildings only (1970, 1971).

** Result of dividing B by A.

+ 1,000 sq m of useful dwelling space, urban areas only.

++ Stock of dwellings in 1951, 1961, and 1970.

a/ 1951 or average of surrounding years.

b/ 1959 or average of surrounding years.

c/ 1961.

d/ 1963.

e/ 1965.

f/ 1969.

g/ 1956.

h/ 1958.

332. The inadequacy of urban housing in the early 1960s was implicitly recognized in the 20-year Programme of the Soviet Communist Party (October 1961), which stated:

"the CPSU sets the task of solving the most acute problem in the improvement of the well-being of the Soviet people - the housing problem. ... Families still housed in overcrowded and substandard dwellings will get new flats. At the end of the second decade (1979, date supplied) every family, including newlyweds, will have a comfortable flat conforming to the requirements of hygiene and cultural living."

The occupation of flats by more than one family appears to have been still quite common in the early 1960s, and, according to a commentary on housing legislation, 4/ the proportion of flats newly rented in 1963 that were so occupied - even though built as one-family flats - was 11-13 per cent in Moscow and 15 per cent in Sverdlovsk.

333. As will be seen from the table, the average dwelling space per urban dweller in the USSR had reached over 11 square metres by 1971. This is within a range of 30 per cent of the norm laid down by British local authorities for municipal dwellings (165 square foot, i.e., 15.3 square metres per person). No statistics on the corresponding rural standards appear to be available.

334. Among the other socialist countries of eastern Europe, Czechoslovakia, Hungary and Romania came within sight of the Soviet performance in 1970 and 1971 and equalled or slightly exceeded the building programmes of the three western countries cited. Bulgaria, the German Democratic Republic, Poland and Yugoslavia, on the other hand, are still lagging behind.

335. As far as the stock of dwellings is concerned, the Soviet figures are not given in units comparable to those of other countries. If it could be assumed, however, that the average space per dwelling in urban areas corresponded to that of newly completed dwellings throughout the country (42 and 46 square metres in 1960 and 1970, respectively), the urban stock of the USSR could be calculated as 208, 239, and 242 dwellings per thousand inhabitants in 1960, 1970 and 1971, respectively. This would suggest that the Soviet Union was still behind the other countries reviewed in the table. The comparison may, of course, be vitiated by substantial discrepancies in average area per dwelling, particularly between the socialist countries and the West.

336. Poland reports rapid improvements in standards which, however, are still felt to be unsatisfactory: 5/ There were 1.75 and 1.37 persons per room in 1950 and 1970, respectively. This corresponded to a useful living space of 12.9 square metres (in both urban and rural areas) in 1970. 6/ The difficulties, which were ascribed

4/ I. B. Martkovich, ed., *Zhilishchnoe stroitel'stvo* (Moscow 1965), p. 81.

5/ Answer to United Nations questionnaire, February 1971.

6/ Answer to United Nations questionnaire, November 1972.

chiefly to the large migration from the country to the towns, should be mitigated by the 1971-1975 plan, which foresees an increase in house building by 25 per cent and an enlargement of the average floor space per dwelling. Greater state assistance to private and co-operative builders will also be made available.

337. Among the other socialist countries, Hungary reported an average of 1.95 persons per room for 1971, with privately built dwellings in general larger than those built by the State; 7/ and Romania gave a figure of over 8 square metres of dwelling space per inhabitant in 1966, 8/ corresponding quite closely to the USSR figure for the early 1960s.

338. The proportion of house building undertaken on private initiative (with or without financial help from the State) varies greatly between one socialist country and another. In the USSR, it is between 10 and 20 per cent (1971), in Czechoslovakia and Poland between 25 and 30 per cent, in Romania 60 per cent, and in Hungary and Yugoslavia usually between 60 and 70 per cent. Housing built by enterprises or co-operatives is of special importance in Czechoslovakia and Poland. 9/

339. Dwelling space in state housing is normally distributed by local council committees, with a rotating membership (e.g., Hungary), which administer waiting lists and are in touch with enterprises to take account of their special requirements. Co-operative dwellings can be secured by individuals by the initial payment of a share in the (assisted) construction cost and subsequent periodic payments for interest on capital, repairs, maintenance etc. In Hungary, housing owned by enterprises is at the disposal of management (and factory committees) for the first tenancies only and becomes available to local councils when these terminate. 10/

340. In Romania, an Act of 1968 promotes the construction of privately owned housing and the sale to private persons of housing already built with state funds. The State grants long-term, low-interest loans for this purpose. 11/

341. In the USSR, the distribution of living space is largely the responsibility of the Executive Committees of local Soviets, regardless of the authority in charge of actual housing management. The Executive Committees have permanent Housing Commissions who receive and consider applications from citizens, establish waiting lists and make recommendations on the allocation of newly built or vacated flats. There are special "social commissions" for housing with representatives of local

7/ Information from the Hungarian Central Statistical Office, September 1972.

8/ Romanian Central Statistical Office, September 1972.

9/ Annual Bulletin of Housing and Building Statistics for Europe, 1971 (United Nations publication, Sales No.: 72.II.E.4), pp. 40-43.

10/ Information from the Hungarian Central Statistical Office, September 1972.

11/ E/CN.4/1024/Add.1, para. 180.

Soviets, trade union bodies, social organizations, health departments etc., who advise the permanent Housing Commissions and can make recommendations of their own. The Commissions' waiting lists are drawn up with the participation of the Works Committees and Managements of local enterprises. Criteria for the final allocation of housing space are stated to be time of first application, degree of need and social usefulness of the applicant's occupation, all of which can be overridden by special priorities established by government decree. Flats in houses built by enterprises and institutions on their own account are allocated to the enterprise's wage and salary earners jointly by management and the works committee, whose decision, however, needs the approval of the local Soviet.

342. Typically, the right to house ownership or occupation is restricted for any one household to one dwelling in a town and one country house (possibly in a special holiday area). 12/

343. Rental payments are very low in the socialist countries of eastern Europe compared with other parts of the world. In Hungary, they accounted for 5-6 per cent of the average income of tenants (1971), and in Romania for approximately 7 per cent. 13/ In some countries, moreover, e.g., Romania, rental charges are adjusted to the income of the tenant, as well as to the amenities offered. 14/

344. In Poland, total expenditure on house maintenance and equipment was said to have amounted to no more than 6.7 per cent of household expenditure in 1965 and 7.5 per cent in 1970. 15/ A different coverage of expenditure "on lodging" is evidently being referred to in a later report, which gives the average proportion of household income devoted to this purpose in 1970 as 10.7 per cent (rising from 5.5 per cent for the lowest income bracket to 14.7 per cent for the highest). 16/

345. Rental payments for housing in the USSR are among the lowest in the world, at 13.2 kopeks per square metre of living space per month, and account for no more than 4-5 per cent of tenants' earnings. This is due to massive state subsidies, covering about 67 per cent of annual operating costs, and to the outstandingly low level of construction costs (136 roubles per square metre in 1966-1970, with a planned rise to 150.5 roubles in the next quinquennium). 17/ The Party Programme

12/ Information from the Hungarian and Romanian Central Statistical Offices, September 1972.

13/ Information from the Hungarian and Romanian Central Statistical Offices, September 1972.

14/ E/CN.4/1011, p. 51.

15/ Statistical supplement to answer to United Nations questionnaire, February 1971.

16/ Polish answer to United Nations questionnaire, November 1972.

17/ Voprosy ekonomiki, No. 5, 1972, pp. 23-31.

/...

of the twenty-second Congress foreshadowed the complete abolition of rental payments. Maximum rents for two-room apartments are at present fixed at 10-12 roubles, including gas and electricity. 18/

346. In Yugoslavia, workers' households of from three to four persons are stated to have spent between 4.5 and 5.5 per cent of their total incomes on rent (excluding fuel and lighting) in the late 1960s and in 1970. 19/

C. THE RIGHT TO NECESSARY SOCIAL SERVICES

347. The situation in respect of social services is, to a large extent, described in the sections on social security, health standards, protection of mothers and families and education. This leaves for the present section only the services usually provided by public utilities (supply of gas, electricity, heating, water etc.), as well as radio, television and telephone services. An important, though incomplete indicator, of the use of these services is the extent to which the housing stock (or new housing completed) is equipped with the corresponding appliances. Unfortunately, internationally comparable statistics are only sporadic in this field, but the following data may give a rough picture of the situation.

348. Immediately after the Second World War, amenities in dwellings varied a great deal from one socialist country to another. Czechoslovakia reported that over 85 per cent of its occupied dwellings were provided with electricity (95 per cent in urban areas and 79 per cent in the countryside); the corresponding figure in Hungary was only 46 per cent (75 and 27 per cent in urban and rural areas, respectively). At the same time, barely more than 35 per cent of dwellings had piped water in Czechoslovakia, and only 17 per cent in Hungary. 20/ Yugoslavia reported that 87 per cent of its housing stock was provided with electricity, and 29 per cent with piped water (1954).

349. Since that time, very considerable progress has been made, and the proportion of newly completed dwellings provided with the amenities in question has developed as follows:

18/ Information from a USSR government agency, October 1972.

19/ Statisticki Godisnjak Jugoslavije 1971, p. 282.

20/ Annual Bulletin of Housing and Building Statistics for Europe 1960 (United Nations publication, Sales No.: 61.II.E.5), pp. 8 et seq. Figures for Czechoslovakia refer to 1950, those for Hungary to 1949.

		<u>Piped water</u>	<u>Fixed bath/ shower</u>	<u>Gas</u>	<u>Central heating</u>	<u>Electric lighting</u>
Bulgaria	1971	77.6	65.3	..	34.5	94.8 ^{b/}
Czechoslovakia	1960	73.4	79.9	44.7	62.8 ^{a/}	97.3 ^{f/}
	1967	93.1	97.1	61.4	85.6 ^{b/}	..
	1971	98.0	99.2	87.7 ^{c/}	88.6	..
German Democratic Republic	1963	97.8	98.3	99.6	29.2	..
	1971	100.0	100.0	..	85.6	99.0 ^{g/}
Hungary	1963	50.7	66.6	24.4	18.1	81.3
	1971	73.3	77.9	28.2 ^{d/}	37.7	..
Poland	1970	75.0 ^{e/}	..	over 50 ^{e/}	..	80.1 ^{h/}
Yugoslavia	1963	51.0	49.7	..	7.5	54.1 ^{f/}
	1971	58.9	57.0	..	23.8	..

Sources: Annual Bulletin of Housing and Building Statistics for Europe, 1960, p. 8; 1963, p. 18; 1967, p. 36; and 1971, p. 14; Czechoslovakia, Statistical Abstract 1971, p. 49. Polish answer to United Nations questionnaire, February 1971. Statistical Abstract of the United States 1971, pp. 779-780.

a/ 1963.

b/ 1965.

c/ 1970, excluding privately built housing.

d/ 1967.

e/ Urban housing only.

f/ 1961.

g/ 1968.

h/ 1960.

/...

350. In the USSR, the proportion of the state urban housing stock provided with various amenities is projected to rise between 1959 and 1975 as follows: 21/

Piped water	from 56 to 82 per cent
Sewerage system	from 53 to 79 per cent
Fixed bath/shower	from 30 to 62 per cent
Central heating	from 44 to 78 per cent.

351. The number of dwellings supplied with gas rose from 10.4 million in 1965 to 26.8 million in 1971. More than one fifth of those were in rural areas in the latter year. 22/ A later source disclosed that by 1970 50-55 per cent of urban, and 20-25 per cent of rural, dwellings were supplied with gas and that household consumption of electricity had increased by 60 per cent in urban areas and by 200 per cent in rural areas between 1965 and 1970. 23/

352. Other amenities which are fast becoming necessary appurtenances of modern life in highly developed countries are the broadcasting media and telephone communications. Considerable progress has been achieved in the provision of these in the socialist countries of eastern Europe, especially in the highly industrialized nations of Czechoslovakia and the German Democratic Republic, and, to a lesser extent, Hungary. The standards of the most advanced western countries are now well within sight, except in the case of telephone services.

21/ Voprosy ekonomiki, No. 5, 1972, pp. 23-31.

22/ Vestnik statistiki, No. 5, 1972, p. 95.

23/ Soviet answer to United Nations questionnaire, 1972.

Number of appliances in operation per 1,000 inhabitants

	<u>Radio receivers</u>		<u>Television sets</u>		<u>Telephones</u>	
	<u>1959*</u>	<u>1968*</u>	<u>1959*</u>	<u>1968*</u>	<u>1959*</u>	<u>1968*</u>
Bulgaria	160	268	..	74	..	45
Czechoslovakia	253	272	48	196	67	124
German Democratic Republic	317	348	47	243	72	111
Hungary	227	245	8	273	23	68
Poland	167	173	11	105	24	51
Romania	101	154	2	56	..	29
USSR	215	359**	20	112	..	45
<hr/>						
Germany (Federal Republic of)	286	466**	73	247	101	188
United Kingdom	288	321	203	278	150	234
United States of America	936	1,431	302	400	397	544

Source: La région de la CEE en chiffres, New York 1972, p. 79.

* The figures refer in general to three-year moving averages centred on 1959 and 1968, respectively.

** As estimated in official source.

D. THE RIGHT TO CONTINUOUS IMPROVEMENT IN LIVING CONDITIONS

353. The most widely accepted indicator of potential living standards, in spite of its many imperfections, is undoubtedly the national income per head of population and its development through time. Together with a measure of the proportion of national income devoted to consumption, this indicator is likely to yield as adequate an impression of the growth in actual living standards (on a comparative basis) as can be reasonably expected. The figures below are derived from the official statistics of socialist countries and refer to national income according to the "material-product" definition, i.e., excluding the contribution of final services but including that of trade and transport.

/...

<u>Country</u>	<u>National income per head at constant prices (index number 1950 = 100)</u>	<u>Proportion of national income used for consumption (%)</u>
<u>Bulgaria</u>		
1950	100	80.0*
1960	260	72.6
1970	507	70.8
<u>Czechoslovakia</u>		
1950	100	82.9
1960	188	82.3
1970	276	72.9
<u>German Democratic Republic</u>		
1950	100	91.5
1960	279	81.9
1970	430	76.9
<u>Hungary</u>		
1950	100	76.9
1960	166	77.6
1970	271	72.8
<u>Poland</u>		
1950	100	78.9
1960	173	75.8
1970	283	71.8
<u>Romania</u>		
1950	100	n.a.
1960	236	n.a.
1970	483	n.a.
<u>USSR</u>		
1950	100	76.1
1960	223	73.2
1970	340	70.6
<u>Yugoslavia**</u>		
1952	100	84.9
1960	188	69.8
1970	319	72.0

Source: Statisticheskii ezhegodnik stran-chlenov SEV, 1971, pp. 45, 48 and 49.

* Refers to 1952.

** Calculated and partly estimated from Statisticki Godisnjak Jugoslavije, 1971, pp. 74, 100, and 112; and 1972, p. 104.

354. It will be seen that development has been extremely fast in all the countries under review and that the growth in national income per head was probably mitigated only slightly in its effects on consumption by the generally declining share of income devoted to that purpose.

355. A parallel compilation by the United Nations Economic Commission for Europe yields figures which may be more readily comparable with those available for non-socialist countries, though strict comparability is still subject to a number of qualifications (mainly definitional discrepancies in national-income concepts and varying price structures underlying the weighting procedures).

Average annual growth rates (%)

<u>Country</u>	<u>National income per head (constant prices)</u>	<u>Private consumption per head (constant prices)</u>
<u>Bulgaria</u>		
1951-1959	8.2	7.8
1959-1968	7.2	6.3
1951-1968	7.7	6.9
<u>Czechoslovakia</u>		
1951-1959	6.2	4.0
1959-1968	3.6	3.9
1951-1968	4.8	4.0
<u>German Democratic Republic</u>		
1951-1959	9.4	10.4
1959-1968	4.6	3.3
1951-1968	6.8	7.2
<u>Hungary</u>		
1951-1959	4.4	4.5
1959-1968	5.4	4.2
1951-1968	4.9	4.4
<u>Poland</u>		
1951-1959	6.1	6.1
1959-1968	4.9	4.0
1951-1968	5.5	5.0
<u>Romania</u>		
1951-1959	7.5	-
1959-1968	8.0	-
1951-1968	7.8	-

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Average annual growth rates (%) (continued)

<u>Country</u>	<u>National income per head (constant prices)</u>	<u>Private consumption per head (constant prices)</u>
<u>USSR</u>		
1951-1959	8.5	-
1959-1968	5.6	-
1951-1968	7.0	-
<u>Yugoslavia</u>		
1951-1969	5.9	6.7
1959-1968	5.6	5.6
1951-1968	5.7	6.1

Source: La région de la CEE en chiffres, New York, 1972, pp. 12 and 16.
 The growth rates are generally based on three-year moving averages.

356. The average growth rate in national income per head (1951-1968) was given by the same source as 2.1 per cent per year in the United States of America and 3.6 per cent per year in western Europe, reaching its maximum (for ECE countries outside eastern Europe) in the case of the Federal Republic of Germany with 5.2 per cent per year. As can be seen from the tabulation, even this maximum was exceeded by the socialist countries of eastern Europe, except for Czechoslovakia and Hungary.

357. The figures for private consumption per head differ from the consumption figures of the previous table owing to the exclusion of collective consumption organized by public authority (health, education etc.). In this field also, the Federal Republic of Germany leads the ECE countries outside eastern Europe, with an average annual growth rate of 5.2 per cent during the period 1951-1968.

358. A COMECON study in 1965 estimated relative per capita levels of consumption (other than consumer services) for the year 1963 and suggested the following "approximative and preliminary" figures (USSR = 100): 24/

Bulgaria	99
Czechoslovakia	138
German Democratic Republic	150
Hungary	110
Poland	106
Romania	60-70*

* Refers to national income.

24/ Sopostavlenie urovney razvitiya sotsialisticheskikh stran, Moscow 1965; quoted in Economic Survey of Europe in 1969 (United Nations publication, Sales No.: 70.V.E.1), part I, p. 144.

359. In the USSR, the right to continuous improvement in living standards is undoubtedly the one which - apart from the early period of industrialization and the Second World War - was most consistently and conspicuously fulfilled.

360. The years of the First Five-Year Plan must have witnessed considerable declines in Soviet living standards, particularly in the countryside, which are not documented in official statistics. It is likely that real consumption per head dropped quite sharply between 1928 and 1935. It then recovered, until the beginning of intensive war preparations in 1937/1938, and probably declined again with varying fortunes until the end of the war. A quickening recovery then occurred, though in the countryside it appears to have been weak and fitful until the early or middle 1950s.

361. According to Soviet statistics the real income per head of population approximately doubled during the 14 years between 1955 and 1969, implying an annual growth rate of over 5 per cent. The main factor in this was the growth of collectively provided benefits (transfer incomes in money and in kind, medical and educational services, pensions etc.), which proceeded at a much faster rate (about 10 per cent per year in nominal terms): 25/

362. Between 1950 and 1967, the real per capita income of wage and salary earners is officially stated to have doubled, and that of collective farmers to have more than trebled. 26/ This implies annual growth rates of 4.4 and 7 per cent, respectively, during the 17 years in question. The figure for wage and salary workers in nominal (money) terms is 3.1 per cent per year, implying a very modest inflation in underlying prices of 1.3 per cent per year on average.

363. The main growth factor in the case of wage and salary earners, as in the over-all average, was provided by collective benefits, which grew by 4 per cent per year in nominal terms and accounted for just over a quarter of total per capita incomes at the end of the period. Thus, nominal wages outside the collective farm sector grew at an average rate of 2.85 per cent per year during the 17 years in question.

364. In the four years since 1967 there has been a further growth by 22.3 per cent, implying an acceleration to an annual growth rate of over 5 per cent, at least in nominal terms.

365. Further evidence of rapidly rising living standards since the early 1950s may be obtained from the official figures on per capita consumption of individual products or product groups. Between 1950 and 1969, the consumption per head of meat, fats (including vegetable oils) and fish nearly doubled (in terms of weight), that of eggs increased by well over 100 per cent, and that of sugar more than trebled. At the same time, the consumption norm for milk and milk products

25/ Ts.S.U. Narodnoe Khozyaystvo SSSR, 1967, p. 674; and 1969, p. 560.

26/ Ts.S.U. Narodnoe Khozyaystvo SSSR, 1968, pp. 134 and 137.

increased by over 75 per cent, and that for vegetables (including melons) by nearly 50 per cent. The statistics suggest that this increase was continuous and sustained.

366. Less spectacular, but important and continuous advances took place in the field of clothing, housing and consumer durables. Evidence of greater choosiness on the part of consumers may be found in frequent complaints about unsold stocks and in the direction which recent economic reforms have taken. To some extent the rise in the savings bank deposits of Soviet households also points to some dissatisfaction with the quality and variety of consumer goods traditionally provided, besides giving evidence of the Soviet consumer's rise above the need to spend all his income on current consumption.

367. There is little doubt that these advances were made possible by the radical switch in economic policy in favour of agriculture and the consumer in general which occurred in the early and middle 1950s. In conditions in which labour had become a relatively scarce resource further advances in all fields of economic performance must be dependent on rising productivity and skill and, therefore, in the main, on those aspects of individual achievement which are best promoted by rising incentives and consumption standards in general.

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Chapter IV

THE RIGHT TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD
OF PHYSICAL AND MENTAL HEALTH

A. REDUCTION OF THE STILL-BIRTH RATE AND INFANT MORTALITY AND
STEPS TAKEN FOR THE HEALTHY DEVELOPMENT OF THE CHILD

368. The table below shows the considerable progress made in pre-natal care and pediatrics, as well as in general medical standards, in the socialist countries of eastern Europe. In all of them, except Czechoslovakia, infant mortality rates (deaths of children under one year per 1,000 live births) were well over twice and, in some cases, three times as high as in the advanced nations of the West before the Second World War. By the early 1950s, they had in general been halved and, by 1970, reduced to virtual equality with western standards in the USSR, Bulgaria, Czechoslovakia, and the German Democratic Republic. In Romania and Yugoslavia, they still remain approximately twice as high, albeit reduced by fully two-thirds since pre-war days. Hungary and Poland occupy an intermediate position.

369. As far as neo-natal^{1/} and perinatal^{2/} death rates are concerned, the socialist countries are now indistinguishable from the most advanced nations of the West and, in some cases, out-perform them by a small margin.

370. In most cases where the relevant statistics are available, infant mortality in rural areas fell considerably faster (and from a higher level) than in urban areas, and the gap has now been substantially reduced. In Poland, for instance, the rural rate, which exceeded the urban rate by nearly 18 per cent in 1960, was only 10 per cent higher by 1970. ^{3/} In Bulgaria, however, the gap has remained fairly constant at over 45 per cent since the immediate pre-war period, but both rural and urban rates have been reduced by nearly 80 per cent since then. ^{4/}

371. The growth in medical provision for pregnancy and confinement has been very fast indeed in most socialist countries of eastern Europe.

372. In Bulgaria, the number of beds in obstetric medical units increased from 5,833 in 1952 to 9,445 in 1970 (with two thirds of them in maternity wards), ^{5/} while the number of live births fell from 154,000 to 139,000 between the two years. ^{6/} The number of these beds per thousand live births thus increased from 37.8 to 68, i.e. by nearly 80 per cent. At present practically all confinements in Bulgaria take

^{1/} Deaths of children under one month of age per 1,000 live births.

^{2/} Foetal deaths of unknown or at least 28 weeks' gestational age plus post-natal deaths under one week of age per 1,000 live births.

^{3/} Polish answer to United Nations questionnaire, 1972.

^{4/} Bulgarian answer to United Nations questionnaire, 1972.

^{5/} Ibid.

^{6/} Statisticheski Godishnik na N.R.B. 1971, p. 19.

Mortality rates per 1,000 live births

	<u>Infant</u>	<u>Neo-natal</u>	<u>Perinatal</u>
<u>Bulgaria</u>			
1931	147 ^{a/}	59.0	..
1939	138.9	55.3 ^{b/}	..
1950	94.5	34.9 ^{d/}	31.2 ^{c/}
1960	45.1	31.9 ^{d/}	23.3
1970	27.3	13.8 ^{e/}	17.8 ^{e/}
<u>Czechoslovakia</u>			
1931	125 ^{a/}	55.2	..
1939	97.7	41.4	..
1950	77.7	33.1	36.1 ^{c/}
1960	23.5	13.5	20.9 ^{f/}
1970	22.1	15.6	20.7 ^{g/}
<u>German Democratic Republic</u>			
1931*	74 ^{a/}	43.2	..
1939*	60	31.9 ^{h/}	..
1950	72.2	32.8	48.0 ^{c/}
1960	38.8	25.5 ^{i/}	34.3 ^{f/}
1970	18.5	14.1 ^{e/}	23.3 ^{e/}
<u>Hungary</u>			
1931	157 ^{a/}	64.0	..
1939	121	53.9 ^{h/}	..
1950	85.7	37.8 ^{j/}	31.3 ^{c/}
1960	47.6	31.6 ^{d/}	23.3
1970	35.9	27.3 ^{e/}	17.8 ^{e/}
<u>Poland</u>			
1931	137 ^{a/}	52.1	..
1939	121	..	..
1950	111.2	..	34.0 ^{i/}
1960	54.8	28.0	31.1 ^{f/}
1970	33.4	18.7 ^{e/}	24.2 ^{e/}
<u>Romania</u>			
1931	182 ^{a/}	77.0	..
1939	176	73.3	..
1950	116.7	40.6 ^{i/}	32.8 ^{i/}
1960	74.6	..	24.9
1970	49.4	20.8 ^{e/}	27.6 ^{e/}
1971	42.5

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Mortality rates per 1,000 live births (continued)

	<u>Infant</u>	<u>Neo-natal</u>	<u>Perinatal</u>
<u>USSR</u>			
1913	269	..	..
1928	182	..	..
1939	167	..	..
1950	80.7	..	..
1960	35.3	..	..
1971	23	..	..
<u>Yugoslavia</u>			
1933	153 ^{a/}	..	..
1939	132.3	..	..
1950	118.4	44.9 ^{i/}	30.3 ^{c/}
1960	87.7	41.5 ^{i/}	29.0 ^{f/}
1970	55.4	23.4	26.0 ^{e/}
<hr/>			
<u>Germany (Federal Republic of)</u>			
1931*	74 ^{a/}	43.2	..
1939*	60	31.9 ^{h/}	..
<hr/>			
1950	55.5	34.4	..
1970	23.5 ^{k/}	17.9 ^{e/}	25.2 ^{e/}
<u>England and Wales</u>			
1931	62 ^{a/}	31.6	..
1939	51	28.3	..
1970	17.9 ^{k/}	12.0 ^{e/}	23.7 ^{e/}
<u>United States of America</u>			
1931	59 ^{a/}	34.6	..
1939	29.3	48.0	..
1970	19.8 ^{k/}	16.1 ^{g/}	..

(Sources and foot-notes on following page)

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(Sources and foot-notes to table)

Sources: Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 8; Statisticheski godishnik na Narodne Republika Bolgariye, 1971, p. 530; Demographic Yearbook, 1957, p. 354; 1961, p. 221; and 1970, pp. 649 and 674; World Health Statistics Annual, 1969 (Geneva, WHO, 1972), vol. I, p. 11; Annual Epidemiological and Vital Statistics 1939-1946 (Geneva, WHO, 1951), part I, pp. 26-29; Statisticki Godisnjak Jugoslavije 1972, pp. 81 and 85; USSR answer to United Nations questionnaire, 1972; Polish answer to United Nations questionnaire, 1972; Statistical Abstract of Czechoslovakia, 1971, p. 27.

* All Germany within pre-war frontiers.

a/ Five-year average centred on 1933.

b/ 1953.

c/ 1952.

d/ 1956.

e/ 1969.

f/ 1959.

g/ 1968.

h/ 1938.

i/ 1955.

j/ 1951.

k/ Provisional.

/...

place in hospitals, and it is becoming universal practice to bring women from rural areas into towns for their confinements, in line with a plan to liquidate rural maternity hospitals. 7/ As a consequence of this and of other advances in medical and general standards, the rate of still births fell from 11.9 per thousand in 1962 to 10.1 per thousand in 1971 8/ and neo-natal mortality was brought down by as much as 57 per cent in the last 10 years. 9/

373. In Czechoslovakia, the birth rate has remained approximately stationary (between 15 and 16 per thousand) in the last 10 years, but admissions to maternity homes appear to have fallen quite sharply, from 18,900 to 5,800 per year between 1960 and 1970. 10/ At the same time, the number of these homes was reduced from 33 to 11, and the number of beds in them fell from 567 to 188. The number of beds, including those in gynaecological and obstetrical wards, however, is still over 15,000 (1970), or about 66.5 per thousand of live births, and nearly all confinements take place in hospitals. Maternal mortality fell from 1.29 per thousand in 1948 to 0.21 per thousand in 1970, neo-natal mortality halved and still births fell from 17.7 to 7.3 per thousand live births in the same period. 11/

374. The German Democratic Republic reported a figure of 78.6 beds per thousand live births in obstetric and gynaecological wards in 1968. 12/ By 1970, this had increased to over 102 per thousand, representing an increase of over 75 per cent compared with the corresponding figure for 1955. Still births fell from 18.4 to 11.3 per thousand live births during the same period, and to 9.8 per thousand in 1971. 13/

375. In Hungary, the number of beds in obstetric and gynaecological wards increased from 6,855 to 7,868 between 1960 and 1971, while live births rose only from 148,400 to 152,000. 14/ This implies figures of 46 and 52 beds per thousand, respectively, which still falls short of Czechoslovak and East German standards but represents an increase of about 13 per cent. Infant mortality and the perinatal death rate fell by about one quarter during the same period. 15/ Confinements in medical institutions, which were 85 per cent of all confinements in 1960, are now, to all intents and purposes, the universal practice.

7/ Information from Bulgarian Ministry of Health, September 1972.

8/ Bulgarian answer to United Nations questionnaire, 1972.

9/ See table above.

10/ Statistical Abstract, Czechoslovakia 1971, p. 115.

11/ Czechoslovak Health Services, 1970, Prague, pp. 2, 3, 4 and 16.

12/ World Health Statistics Annual, 1968 (Geneva, WHO, 1971), vol. III, p. 152 and Demographic Yearbook 1970, (United Nations publication, Sales No.: 71.XIII.1), p. 623.

13/ Statistisches Jahrbuch der Deutschen Demokratischen Republik 1970, pp. 413 and 443, and 1972, pp. 449 and 421.

14/ Statistical Pocket Book of Hungary, 1972, pp. 58, 265 and 268.

15/ See table above.

/...

376. In Poland, the number of births fell from 669,500 to 546,000 between 1960 and 1970, while the number of beds in delivery rooms decreased from 6,200 to 4,500. 16/ The implication is a fall of slightly over 10 per cent in the provision of these beds per thousand live births. There has been an even sharper decline in the number of maternity stations, particularly in rural areas, but the number of physicians, nurses and midwives increased sharply. In the last 10 years, infant mortality fell by about 40 per cent and the perinatal death rate dropped by over 20 per cent. 17/

377. In Romania, the number of beds in gynaecological and obstetric wards increased from 21,100 to 34,500 between 1960 and 1970. 18/ With live births increasing from 324,900 to 427,000 during the same period, this implies an increase by about 25 per cent in the provision of beds per thousand live births in 10 years. The percentage of confinements in medical establishments increased from 53.3 per cent in 1955 to 69.8 per cent in 1960, and nearly 90 per cent in 1970. 19/ Still births fell from 16.2 per thousand to 12 per thousand between 1960 and 1971. 20/

378. In the USSR, medical provision for pregnancy and confinement has made great strides since comprehensive planning was begun in 1928. The number of beds in maternity and gynaecological wards, which was barely 27,000 in that year, when 6.6 million live births were recorded, had risen to 147,000 in 1940, when the number of births had fallen to 6.1 million. 21/ Further progress after the war brought the number to over 164,000 in 1950, and to 205,000 in 1959 (with 5.2 million live births). 22/ In 1970 and 1971, the number of such beds had reached 352,000 and 380,000, respectively, of which 198,000 and 223,000 were dealing exclusively with pregnancy cases and deliveries. The number of live births in 1970 was recorded as 4.2 million, thus implying the provision of over 83 beds per thousand live births (or about 47 for pregnancies and deliveries) in that year. In the Byelorussian SSR the corresponding figure increased from 27 in 1940 to nearly 76 in 1970. 23/

379. The number of beds in gynaecological and obstetric wards in Yugoslavia in 1970 was given as 12,712, of which 5,264 were in delivery wards. 24/ With live

16/ Statistical supplement to Polish answer to United Nations questionnaire, February 1971.

17/ See table above. According to latest information, infant mortality in Poland fell to 29.7 per thousand in 1971 (answer to United Nations questionnaire, November 1972).

18/ Information from the Romanian Ministry of Health, September 1972.

19/ Anuarul Statistic al Republicii Socialiste România 1971, pp. 70 and 708.

20/ Information from the Romanian Ministry of Health, September 1972.

21/ Ts.S.U. Narodnoye khozyaystvo SSSR 1967, p. 53.

22/ Ibid., p. 735, and USSR answer to United Nations questionnaire, 1972.

23/ Byelorussian answer to United Nations questionnaire, 1972.

24/ Statistical Yearbook of Public Health and Health Service in the SFR Yugoslavia 1970, p. 68.

/...

births numbering 363,300 in that year, the figure implies 34.9 beds per thousand. The number of still births fell from 11.3 per thousand live births in the early 1950s to about 10 in the late sixties and 9.4 in 1969 and 1970. 25/

380. A large network of welfare clinics and consultation centres for mothers and children has been established in all the socialist countries of eastern Europe. In Bulgaria, the number of such units increased from 2,400 to 2,500 between 1966 and 1969, with 80 per cent of them located in rural areas. 26/ In Romania, all general medical service units are by law required to provide counselling for mothers and children, under the general instructions of special units at the level of provinces (Judetse). 27/ Czechoslovakia maintains gynaecological departments at regional and district centres and about 1,700 consulting rooms for women at local centres. There are, in addition, 125 women's advice clinics, 1,800 consulting rooms for child care at local level and over 2,500 child welfare centres. 28/ The German Democratic Republic reported a total of over 2,800 advice centres for mothers in 1971, of which 246 ranked as headquarters. Apart from this, there were about 7,500 medical detachments (Aussenstellen) working in the same field. 29/

381. Poland maintained 2,880 maternity stations for out-patients in 1960 and had reduced that number to 2,097 by 1971. 30/

382. In the USSR, the number of welfare clinics and consultation centres for mothers and children (including advice centres within enterprises and institutions) increased from 8,600 in 1940 to 16,400 in 1960 and over 21,000 in 1970. 31/ The number of fully trained obstetricians and gynaecologists had increased from under 11,000 in 1940 to 41,400 in 1970, and that of medical assistants trained in midwifery from 80,000 in the first year to 297,000 in 1970. 32/ It appears that as far as medical personnel of these medium grades is concerned the USSR now leads the world with a figure of nearly 12 per 10,000 of the population. The corresponding figures for western Europe are given as between 1 and 4 and those for eastern Europe as between 2 and 6 per 10,000. However rash it would be to consider these figures as exact measures of the relative levels of service provided, their order of magnitude is striking enough.

383. A report from the Ukrainian SSR 33/ specifies that, after being released from a maternity home, a child comes under the supervision of a children's out-patient clinic, 94 per cent of new-born children coming under the care of such clinics'

25/ Statistički Godišnjak Jugoslavije 1972, p. 81.

26/ Bulgarian answer to United Nations questionnaire, 1972.

27/ Information from the Romanian Ministry of Health, October 1972.

28/ Statistical Abstract, Czechoslovakia 1971, pp. 116 and 118.

29/ Statistisches Jahrbuch der DDR 1972, p. 428.

30/ Statistical supplement to Polish answer to United Nations questionnaire, 1972.

31/ USSR answer to United Nations questionnaire, 1972, and Ts.S.U. Narodnoye Khozyaystvo SSSR, 1970, p. 691.

32/ Ibid., p. 692.

33/ E/CN.4/1011/Add.5, pp. 30-31.

physicians during the first three days after release from the maternity home. In urban areas, 96 per cent of the children under one year of age are seen by a physician every month; on average, children are seen by a physician between 12 and 15 times during the first year of life.

384. The physicians give the necessary inoculations against disease, follow changes in weight and height, the child's mental development and the development of the nervous system; they also train the mother in the correct care and feeding of the child and try to encourage breast-feeding.

385. As a result of the far-reaching preventive, curative and public health measures, the rate of sickness in children and, in particular, the incidence of infectious diseases are being reduced. For a number of years now, no case of poliomyelitis has been recorded in the Ukraine; only individual cases of diphtheria have been noted, and the incidence of whooping cough and measles has been greatly reduced.

386. The mortality rate is declining among all ages but more sharply among children under one year of age. Thus, in the last 10 years, the rate among children under the age of one year declined by 51.1 per cent, among children from one to two years of age by 45 per cent, from two to three years of age by 39 per cent, from three to four years of age by 36 per cent, from five to 14 years of age by 36 per cent and in general, among children up to 15 years of age by 53 per cent.

387. In the USSR, the medical care of children up to the age of three years is mainly the responsibility of the consultation centres mentioned earlier. Older children are looked after by the district clinics up to school-leaving age. For medical cases needing more intensive treatment there are children's hospitals and special children's departments in general hospitals. The number of beds in these is stated to have risen from 90,000 in 1940 to 383,000 in 1966. During the same period, the number of fully trained pediatricians increased from under 20,000 to nearly 74,000. 34/ Beds for children as a whole numbered 13.3 per 10,000 inhabitants in 1970. 35/

388. The wide and growing network of crèches and kindergartens also has prophylactic and therapeutic functions. The number of children in permanent institutions of this kind is stated to have risen from under 2 million in 1940 to over 8 million in 1970. 36/

34/ Ts.S.U., Narodnoye Khozyaystvo SSSR, 1967, p. 263.

35/ Answer to United Nations questionnaire, 1972.

36/ Ts.S.U., Narodnoye khozyaystvo SSSR 1970, p. 634.

B. THE IMPROVEMENT OF ALL ASPECTS OF ENVIRONMENTAL AND INDUSTRIAL HYGIENE

389. Bulgaria reports 37/ on special legislation ensuring a comprehensive system of sanitary and hygienic measures, both preventive and curative for the preservation of workers' health in medical units of the general category, as well as a network of special centres for industrial workers consisting of 47 hospitals and polyclinics (3,500 beds), 63 prophylactic units (2,600 beds) and 593 health centres for on-the-job medical care in industrial enterprises, mines etc. These are responsible for running current research programmes on labour conditions, environment and production processes, as well as normal medical services for workers. On-the-job medical care is under the charge of medical practitioners, usually responsible for 1,500-2,000 workers (or 1,000 in higher-risk production units, like chemical plant or coal mines). There are Research Institutes for Labour Protection and Occupational Diseases and Departments of Labour Hygiene under the special Inspectorates for Hygiene and Epidemiology at district level working on labour protection and occupational pathology and responsible for the current control functions of the inspectorates. There are seven anti-silicosis centres and 15 laboratories working in the fields of labour psychology, physiology, ergonomics and professional aptitude testing.

390. Factory health services in Czechoslovakia control 14 special hospitals with nearly 2,500 beds, 1,829 out-patient centres (preventive and curative), including 40 polyclinics. There are also 510 special factory health centres and 407 crèches with over 17,000 beds. 38/

391. In the German Democratic Republic, the number of polyclinics run by industrial enterprises increased from 36 in 1950 to 96 in 1971, and that of out-patient departments under the same jurisdiction from 109 to 248. 39/

392. In Poland, the industrial health service is an integral part of the social health service. It is independent of factory management and comes directly under the jurisdiction of local health departments. There are treatment and preventive centres in all factories employing over 400 workers (300 in iron and steel works and 200 in chemical plants and mining). 40/ The number of on-the-job dispensaries increased from 2,198 to 2,351 between 1960 and 1971. 41/ The State Sanitary Inspectorates control standards in housing, work places, town planning schemes and environmental protection. Anti-pollution and anti-noise measures setting up protected areas, etc. were passed by special ordinances of the Council of Ministers

37/ Bulgarian answer to United Nations questionnaire, 1972.

38/ Czechoslovak Health Services, 1970 p. 15. The figures refer to December 1970.

39/ Statistisches Jahrbuch der D.D.R., 1972, p. 424.

40/ Health Care in Poland, Warsaw 1963, pp. 58-60.

41/ Statistical supplement to Polish answer to United Nations questionnaire, 1972.

/...

in recent years, and consultation procedures over plans for new investment projects established. A number of successful prosecutions against industrial pollution have been instituted under these acts. 42/

393. In Romania, large industrial enterprises have their own hospitals, and smaller units have dispensaries, which may be shared between two or more units if size considerations warrant it. On average, in the industrial health service as a whole, one fully qualified medical practitioner is responsible for 1,700 workers in factories, mines or building sites. 43/ The number of works hospitals fell from 103 to 71 between 1955 and 1968, while those of polyclinics in enterprises increased from 84 to 98. Dispensaries manned by auxiliary medical personnel in enterprises increased from 976 to 1,277 in the same period. 44/

394. In the USSR, the All-Union Ministry of Health has the exclusive right to lay down standards of sanitation and hygiene which are binding on all institutions and citizens. Control is exercised by state sanitary inspection organs which have access to the Courts in cases of contravention. Occupational diseases are prevented or monitored by means of medical examinations of all workers on entering employment and periodic checks throughout their working lives. The Ministry of Health issues regulations regarding the frequency of these checks, the qualified personnel in charge, laboratory tests and medical criteria for the admission of workers to employment in cases where counter-indication may arise. On discovery of any form of occupational disease, a special commission is set up in the affected factory (composed of management and trade union representatives) to take the necessary measure for its containment and future prevention. 45/

395. Soviet enterprises employing more than 4,000 workers (or more than 2,000 workers, if engaged in mining or chemical works) must have facilities for medical care and hygiene, usually in the form of clinics, hospitals, women's consultation centres, nurseries, kindergartens and first-aid stations. Those employing more than 800 workers (or more than 500 for mining and chemical works) have health centres under fully trained physicians. Smaller enterprises (over 300 workers) have first-aid stations which are also responsible for disease prevention. The enterprise medical centres, jointly with public health and anti-epidemic stations of the Ministry of Health, are responsible for the supervision of hygiene, ventilation and other working conditions bearing on the health of employees. They carry out periodic medical checks on workers for the prevention of occupational and other diseases. The number of fully trained physicians employed in industrial and other enterprises was given as 33,000 in 1967. 46/ Factories which have no medical unit under their own jurisdiction are attached to one of the territorially administered hospitals (e.g. a city hospital), which is then given special responsibility for the periodic checks and treatment of

42/ E/CN.4/1011/Add.1, pp. 51-52.

43/ Information from the Romanian Ministry of Health, October 1972.

44/ Breviario de estadística médico-sanitaria de la R.S. de Romanía, 1969, pp. 122 and 129.

45/ Answer to United Nations questionnaire, 1972.

46/ The USSR - questions and answers, Novosti Press Agency, p. 326.

the workers. 47/ Medical care in collective farms is the responsibility of district hospitals whose location throughout the country brings them within easy reach of the farms.

396. Responsibility for environmental hygiene and anti-pollution measures rests with the republican Councils of Ministers and local Soviets.

397. In Yugoslavia, the separate Republics have Institutes for Occupational Health which are responsible for setting up and running special units within industrial enterprises, mines etc. The finance is provided mostly out of general social insurance funds. 48/ In 1970, there were 987 such units employing 851 general practitioners and 376 specialists.

C. THE PREVENTION, TREATMENT AND CONTROL OF EPIDEMIC, OCCUPATIONAL AND OTHER DISEASES

398. Bulgaria reports 49/ that, since 1950, a specialized subsystem of the health service has operated to deal with epidemic and contagious diseases under a state Sanitary Inspection Board. There are 29 territorial inspection centres of hygiene and epidemiology, each with a special department for anti-epidemic operations. As a result of their work, diseases such as typhoid, diphtheria, poliomyelitis and recurrent typhus no longer present problems to public health authorities, and outbreaks of dysentery and infectious hepatitis have greatly diminished in frequency. There have now been no cases of cholera or smallpox for several decades, and lues and malaria have been completely eliminated. Endemic goitre is also being eliminated with the help of the Centre for Goitre Control, created some 20 years ago. A special government act provides for the supply of iodized cooking salts to areas of endemic disease. Similar campaigns against fluorosis, diseases of the bones and caries in children have also been instituted.

399. In the USSR, responsibility for anti-epidemic measures rests on a special network of anti-epidemic stations under the Ministry of Health at republican, provincial, city and district level. Their number more than doubled between 1940 and 1960, when it reached 5,000. 50/ The Byelorussian SSR reports that the anti-epidemic services involve considerable numbers of specialists (bacteriologists, biologists, chemists etc.) and laboratories engaged in the discovery, isolation and prevention of epidemic diseases. Workers in high-risk occupations or areas are subject to regular examination and laboratory tests. 51/

47/ Information from the Soviet Central Council of Trade Unions, October 1972.

48/ Information from the Yugoslav Federal Institute of Public Health, September 1972.

49/ Bulgarian answer to United Nations questionnaire, 1972.

50/ Ts.S.U. Zdravookhranenie v SSSR, 1960, p. 217.

51/ Byelorussian answer to United Nations questionnaire, 1972.

D. THE CREATION OF CONDITIONS WHICH WOULD ASSURE TO ALL
MEDICAL SERVICE AND MEDICAL ATTENTION IN THE EVENT
OF SICKNESS

400. The right to medical care is enshrined in the Constitutions of all the socialist countries of eastern Europe. Typical examples may be cited from Bulgaria and the USSR.

401. In Bulgaria, free medical aid for all was introduced by special decree of the Presidium of the National Assembly in 1951. This was reaffirmed in the 1971 Constitution (article 47). 52/

402. In the USSR, the basic principles of health legislation were defined in the Party Programme of the Eighth Congress in 1919. This insists on free and fully qualified services, accessible to all, and administered by the State. A central organ for this purpose (the People's Commissariat for Health) had already been set up by a decree issued by the Council of People's Commissars dated 11 July 1918 and signed by Lenin. The principles were further developed in later Party Programmes and in the "Basic Principles of Health Legislation of the USSR and Union Republics" of 1969, which came into effect on 1 July 1970. 53/

403. The figures below may serve as summary indicators of developments in the provision of medical services in the socialist countries of eastern Europe. Parallel developments elsewhere are illustrated in the lower section of the table referring to the most advanced countries of the West.

52/ Bulgarian answer to United Nations questionnaire, 1972.

53/ "Osnovy zakonodatelstva Soyuza SSR i Soyusnykh Respublik o zdravookhranении", Decree of the Presidium of the Supreme Soviet, 19 December 1969.

	<u>Number of beds in medical units per 10,000 inhabitants</u>			<u>Number of doctors and dentists per 10,000 inhabitants</u>			
	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1971</u>
Bulgaria	39.2	62.5	77.2	9.2	17.0	22.2	..
Czechoslovakia	61.7	76.1	79.7	10.1	17.5	22.9	..
German Democratic Republic	102	119	111	11.3	12.2	20.3	20.9
Hungary	52.5	67.2	77.4	10.3	15.3	22.0	..
Poland	51.1	55.4	62.9	4.6	12.7	19.3	19.9
Romania	42.2	72.5	80.8	9.5	13.5	14.7	19.9
USSR	55.7	80.4	109.2	14.5	20.0	27.4	28.3
Byelorussian SSR . . . . .	..	55.9	94.2	9.3	16.4	25.8	..
Ukrainian SSR . . . . .	..	75.4	108.4	14.4 ^{b/}	18.7	27.7	..
Yugoslavia . . . . .	..	44.9	53.8	4.1	7.5 ^{c/}	10.3 ^{d/}	..
<hr/>							
Germany (Federal Republic of)			110.6 ^{a/}	18.6 ^{b/}	20.2 ^{c/}	21.8 ^{d/}	..
England and Wales			95.7 ^{a/}	..	..	..	..
Sweden			145.8 ^{a/}	12.3 ^{b/}	15.9 ^{c/}	20.0 ^{d/}	..
United States of America			82.7 ^{a/}	18.1 ^{b/}	18.0 ^{c/}	22.1 ^{d/}	..
Total Europe . . . . .			..	12.0 ^{b/}	15.7 ^{c/}	19.2 ^{d/}	..

Sources: Statisticheskii ezhegodnik stran-chlenov SEV 1971, pp. 412-413. Bulgarian, Soviet, Byelorussian and Ukrainian answers to United Nations questionnaire, 1972; La région de la CEE en chiffres, New York 1972, p. 80; Statisticki Godisnjak Jugoslavije 1971, pp. 72 and 312, and 1972, pp. 77 and 316; World Health Statistics Annual 1968, vol. III, pp. 187 et seq.; Polish answer to United Nations questionnaire, November 1972.

- a/ 1968.
- b/ Moving average centred on 1951.
- c/ Moving average centred on 1959.
- d/ Moving average centred on 1968.

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404. The most spectacular progress in hospital facilities was achieved in the USSR. In 1913 the total number of beds in medical units was recorded as 207,600, or 13 per 10,000 inhabitants. By 1940 the figures had risen to a total of 791,000 and a coefficient of 40.2 per 10,000. A further rise by nearly 40 per cent then occurred in the coefficient between 1940 and 1950, followed by a further doubling in the next 20 years. The figure for 1971 is 2,727,000 beds and 110.7 per 10,000 inhabitants. 54/ This is fully on a par with the 1970 position of both the German Democratic Republic and the Federal Republic of Germany and exceeds the figures for England and Wales and the United States by a considerable margin, though it still falls short of the most advanced standards reached in some Scandinavian countries (Sweden and Finland with over 140 beds per 10,000 in each). The current Soviet Five-Year Plan foresees a stock of 3 million beds, or 117 per 10,000 inhabitants by 1975.

405. Of the other COMECON countries of eastern Europe only the German Democratic Republic equals the USSR in the provision of hospital beds. The others report figures about a quarter below this standard, very near to the present norm of the United States.

406. Besides hospitals, the socialist countries of eastern Europe have clinics, convalescent homes, maternity homes, first-aid and medical stations, usually organized on a territorial basis. Czechoslovakia, for instance, is divided into 11 regions (outside Prague and Bratislava) containing smaller districts with populations of between 40,000 and 250,000 people, each of which has at least one, and more probably several, hospitals. These are located in such a manner that no village, however remote, is further than 8 km from the nearest hospital. 55/ In rural areas, there is normally one medical practitioner at least for every 2,500 inhabitants. In Romania, medical units are organized territorially by the 2,606 rural and 1,300 urban "circumscriptions" into which the country is divided for this purpose. 56/

407. The USSR disposes of a network of over 40,000 clinics, which are currently treating over 1.5 million cases a year. In addition, there are first-aid and medical stations numbering nearly 100,000 in rural areas, and another 7,000 attached to enterprises and building projects.

408. Urban district clinics serve defined areas of 4,000 inhabitants on average and are classified into size categories, of which the largest is equipped to deal with over 1,500 patients per day. Rural clinics are normally attached to rural hospitals, each of which serves a radius of not more than five miles. Collective and state farms with a membership below 1,000 are reported to have medical stations serviced by personnel in the medical assistant grade.

409. In the sparsely populated areas of the north and far east a flying doctor service with mobile medical units is in operation.

54/ Soviet answer to United Nations questionnaire, 1972.

55/ Information from a Czechoslovak government agency, October 1972.

56/ Information from the Romanian Ministry of Health, October 1972.

410. In the provision of doctors and dentists per 10,000 inhabitants, the USSR now undoubtedly leads the world, after doubling her standards since 1950 (see table above). This progress was achieved from an even lower base of 10 per 10,000 in 1913 and 62 per 10,000 in 1940. 57/ All other COMECON countries have by now reached or overtaken western levels, after more than doubling their standards in the last 20 years, except for Poland, whose progress, however, was the most impressive, as it started from a level below the rest and fully 75 per cent below its present norm. Yugoslavia still lags behind the other socialist countries in both beds and medical personnel per 10,000 inhabitants. It should be stressed, however, that no precise conclusions on the relative quality and intensity of medical care can be drawn from these figures.

411. The length of full-time medical training (including practical training) required for graduating physicians is normally six years in the socialist countries of eastern Europe (five years for pharmaceuticals and stomatology). In Romania, five-year courses of specialist training may be started after three years of general medical training, and there are quinquennial refresher courses for all doctors. 58/

412. The proportion of women among fully trained physicians is markedly higher in the socialist countries of eastern Europe than in other parts of the world. In Hungary, it is about 25 per cent, in Bulgaria, Czechoslovakia and Romania about 40 per cent, in Poland nearly 50 per cent and in the USSR over 70 per cent. 59/ This compares with a typical percentage of between 10 and 25 per cent in the rest of the world.

413. The USSR also leads the world in the number of medical personnel in the assistant grades per 10,000 inhabitants. It is possible, however, that the outstandingly high figure of 18.3 reported to the World Health Organization for 1968 60/ is not fully comparable with those of other countries, owing to different classification and delimitation of professional status. Bulgaria and Poland reported corresponding figures of 5.6 and 1.7, respectively, for the same year. 61/

57/ USSR answer to United Nations questionnaire, 1972. Among other countries that regularly publish this statistic, only Israel comes within sight of the Soviet level, with a figure of about 24 per 10,000 in 1968. The absolute number of physicians in the USSR in 1970 was given as 668,000, and there were 220,000 students in training at medical colleges.

58/ Answers to United Nations questionnaires 1972, and information from the Ministries of Health, Central Statistical Institutes etc., September 1972.

59/ A peak of 77 per cent was reached in 1950. USSR answer to United Nations questionnaire, 1972.

60/ World Health Statistics Annual, 1968, vol. III, p. 51.

61/ Answer to United Nations questionnaires, 1972.

USSR statistics also contain figures for a category of medical personnel described as of medium rank, whose number per 10,000 inhabitants is stated to have increased from 24 in 1940 to 64.5 in 1960 and 89.1 in 1971. 62/ Bulgarian statistics thought to be comparable with this gave figures of 48.3 and 57.4 for 1966 and 1970, respectively, 63/ and Hungarian sources imply 48.4 in 1960 and 75.1 in 1970. 64/

414. Medical training for higher assistant grades in the USSR is of three-and-a-half or two-and-a-half years' duration (depending on length of previous schooling) and of 34 or 22 months' duration for other grades. 65/

415. The Byelorussian SSR reported that 93.5 per cent of the medium-rank medical personnel in the Republic in 1970 were women. 66/

416. Somewhat less marked off from the standards of other countries is the Soviet provision of nursing staff per 10,000 of the population, which increased from 5.3 in 1940 to 18.2 10 years later and reached 42.8 in 1970. 67/ Czechoslovakia and Hungary reported comparable figures for 1968, while Bulgaria and Poland still fell slightly short of 30 per 10,000 inhabitants, and Yugoslavia reported 10.4. Among western countries in 1968, Finland appeared to lead the world, with 65.6 nurses per 10,000 inhabitants, closely followed by Canada (57.3) and the United States (49.2 in 1967). Western Europe varies between norms of 16.9 (Belgium) and 39.6 (Scotland). 68/

417. Medical benefits in the socialist countries of eastern Europe are available free of charge to all residents (Bulgaria, USSR) or to defined categories of persons which, in practice, cover the whole population. There are no qualifying conditions and no time limits. Partial exceptions to this are Hungary, where free hospital treatment is limited to one year (unless extended for convalescence or indefinitely prolonged for sufferers from tuberculosis), and Poland, where persons whose employment has ceased are limited to 26 weeks' free medical care (or 39 weeks, if prolonged). Medicine is free when taken in hospitals, polyclinics etc., but some payment is usually required for medicine taken at home, unless the patient

62/ USSR answer to United Nations questionnaire, 1972. It is stated that, in 1970, this category was made up of nurses (48.7 per cent), midwives (10.2 per cent), assistants (feldshers), including midwives' assistants (26.2 per cent) and an unspecified residual of 14.9 per cent (X-ray, laboratory and dental technicians etc.).

63/ Bulgarian answer to United Nations questionnaire, 1972.

64/ Statistical Pocket Book of Hungary, 1972, p. 263.

65/ USSR answer to United Nations questionnaire, 1972.

66/ Byelorussian answer to United Nations questionnaire, 1972.

67/ USSR answer to United Nations questionnaire, 1972.

68/ World Health Statistics Annual 1968, pp. 52-55.

belongs to certain defined categories. The prices of medicines, however, are very low in all socialist countries, and the exempt categories usually very large (sufferers from chronic diseases, children, students, war veterans etc.). In Hungary, individuals outside the special categories pay 15 per cent of home-consumed medicines, 69/ and, in Romania, it is estimated that 30-40 per cent of medicines consumed is paid for directly by the user. 70/

418. In the USSR, the average prescription charge made to the individual is about 30 kopecks (0.30 roubles), and 50 per cent of all medicines produced is issued free of charge. 71/

419. In Yugoslavia, there is a schedule of low fees for special medical services used outside hospitals, polyclinics etc. Workers in industrial employment pay a prescription charge of 2.5 dinars for medicine used as out-patients, regardless of true cost. Farm workers, however, pay the full cost, unless they belong to special categories (children, expectant mothers etc.). Sufferers from chronic diseases, whether workers or farmers, pay only 2.5 dinars for larger batches of medical supplies.

420. The table below shows the socialist countries' progress in lengthening average life expectancy between the interwar period and the present time. The most striking results were achieved by the formerly less developed countries, whose life expectancy originally fell short of western standards by 20-30 per cent and who have now virtually drawn level with the rapidly rising standards of the developed world.

69/ Information from the Hungarian Central Statistical Office, September 1972.

70/ Information from the Romanian Ministry of Health, September 1972.

71/ Information from the Soviet Ministry of Social Security, October 1972.

Life expectancy (number of years at birth)

	<u>Prior to Second World War</u>			<u>Late 1960s</u>		
	<u>Men</u>	<u>Women</u>	<u>(Year)</u>	<u>Men</u>	<u>Women</u>	<u>(Year)</u>
Bulgaria	52	53	(1937 ^{a/})	68.8	72.7	(1966 ^{a/})
Czechoslovakia	57	59	(1937)	67.2	73.6	(1970)
German Democratic Republic	60*	63*	(1933 ^{a/})	68.1	73.3	(1970)
Hungary	50	51	(1930)	66.6	71.9	(1968)
Poland	50	51	(1931)	66.8	72.8	(1965 ^{a/})
Romania	42		(1932)	66.5	70.5	(1966 ^{a/})
USSR	44	47	(1926 ^{a/})	65	74	(1968 ^{a/})
Yugoslavia	..	..	..	64.7	69.0	(1966 ^{a/})
<hr/>						
Germany (Federal Republic of)	60*	63*	(1933 ^{a/})	67.6	73.6	(1967 ^{a/})
England and Wales	59	63	(1931 ^{a/})	68.7	74.9	(1968 ^{a/})
Norway	64	68	(1930s ^{b/})	71.0	76.0	(1963 ^{a/})
Sweden	64	67	(1937 ^{a/})	71.8	76.5	(1967)
United States of America	62	66	(1940 ^{a/})	66.6	74.0	(1968)

Sources: Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 9; Anuarul Statistic al R.S. Romănia 1971, p. 756; Vestnik Statistiki, No. 1, 1972, p. 96; Demographic Yearbook 1970, pp. 720 et seq.; Statistisches Jahrbuch der D.D.R. 1972, p. 476.

* Pre-war Germany as a whole.

a/ Two- or three-year moving average.

b/ Average of the years 1931/1932 and 1940/1941.

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Chapter V

THE RIGHT OF THE FAMILY, MOTHERHOOD AND
CHILDHOOD TO PROTECTION AND ASSISTANCE

421. As already pointed out in part I of the report, like other forms of social protection, the rights of the family, and of mothers and children, are regarded as constitutional principles in the socialist countries of eastern Europe and are spelled out in basic legislative acts (Constitution, Labour Codes etc.).
422. In Bulgaria, articles 34-45 of the Constitution proclaim equal rights of the sexes and special protection for women during pregnancy, confinement, nursing and child rearing. Further legislation is contained in the Labour Code, e.g., article 35 (working conditions in pregnancy), article 60 (maternity leave) and many others.
423. The Czechoslovak Constitution of 1960 guarantees state protection for motherhood, marriage and the family in article 26, and equal status and special protection for women in article 27. A number of fundamental Acts (e.g., the Act on the Family No. 94/1963 and amendment) issue more detailed regulations to implement this guarantee.
424. The Soviet Constitution, as amended in 1947, recognizes the rights in question in article 122, which is devoted to the equal rights of women with men in all spheres. It specifies that this equality is safeguarded, among other things, by state protection of the interests of mother and child, state aid to mothers of large families and unmarried mothers, maternity leave with full pay and the provision of an extended network of maternity homes, nurseries and kindergartens. In many respects, Soviet legislation in this field goes considerably beyond the standards of the international conventions which the USSR has ratified.
425. The Yugoslav Constitution (article 57) proclaims the community's duty to provide special care for mother and child and for minors deprived of parental care. Article 58, section 3, further declares that parents have the right and duty to educate their children.
426. Similar provisions are contained in the Constitutions of the other socialist countries of eastern Europe.

A. THE RIGHT OF THE FAMILY TO PROTECTION AND ASSISTANCE

427. Birth grants and family allowances are payable in all socialist countries of eastern Europe.
428. In Bulgaria (where average wages were 124 leva per month in 1970), the State pays lump sums of 20, 200 and 500 leva on the birth of a family's first, second and third child, respectively, and a further 20 leva on the birth of each subsequent

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child. In addition, there are monthly children's allowances of 5, 20 and 55 leva for families with one, two and three children under 16 years of age, with further five leva added for each child beyond that number. The allowances are paid to all families in which at least one parent is covered by the comprehensive social insurance system, but are subject to reductions if total income exceeds 180 leva per month. Co-operative farmers who are not insured under the Labour Code get family allowances for the third child only. A possible increase in the allowance for the first child is at present under discussion. Unmarried mothers get the scheduled allowances even when not working and are given preference in the allocation of free places in crèches and nurseries. 1/

429. The Czechoslovak State pays families a lump sum of 2,000 kcs (approximately one month's average wage in 1970) on the birth of each child and monthly allowances of 90 kcs for the first child, 330 for the second, 350 for the third and the fourth each and 240 for the fifth and each subsequent child. 2/ To qualify for these one of the parents must be working at least 20 days a month, and the family's income must be below certain limits varying with family size (3,000 kcs per month for the one-child family and 3,800 for the two-child family). The children must be under 15, unless in full-time study courses or incapacitated, in which case the age limit can be 26. The allowances are reduced by about 50 per cent, if the insured combines his paid employment with farming on his own land.

430. In the German Democratic Republic, birth grants start at 500 marks for the first child and rise progressively to 1,000 marks for the fifth and each subsequent child. The latter sum exceeded the average monthly wage of 1969 by about one third. Family allowances rise progressively from 20 marks per month for each of the first two children to 70 marks for the fifth and each subsequent child, provided the children are under 15 (or under 18, if in full-time study). All residents are eligible, but self-employed persons do not qualify for the first three children, unless their incomes are below a statutory limit.

431. In Hungary, mothers receive a lump-sum payment of 800 forint (36.3 per cent of the monthly average wage in 1971) for every birth and a grant for baby clothing. In addition, there are monthly family allowances of 300 forints for a second child, 510 for a third and 270 for a fourth and each subsequent child. Unmarried mothers receive allowances for first children also but are on a somewhat lower scale for second children. Members of agricultural co-operatives are on different scales, and employees of private farmers and part-time employees are not included in the scheme. In 1971, over 700,000 families received family allowances, averaging 338 forint per month for workers and employees and 244 forint per month for members of agricultural co-operatives. This represented an increase by nearly one quarter in the number of recipients since 1960 and by nearly two-thirds

1/ Answer to United Nations questionnaire, 1972, and information from the Bulgarian Institute of Social Security and Public Health, September 1972.

2/ See, e.g., E/CN.4/1023/Add.4, p. 10.

in the average received by eligible workers and employees. In the case of co-operative farmers, however, the average had only increased by 7 per cent. ^{3/} It is recognized that the allowances cover only a small percentage of the expenses of child rearing, ^{4/} but the system of maternity benefits introduced on 1 January 1967 goes some way towards closing the gap.

432. In Poland, employed workers receive monthly family allowances, rising from 70 zlotys for the first child to 175 zlotys for the second, 310 zlotys for the third and 150 zlotys for the fourth and each subsequent child. With an average wage level of about 2,600 zlotys per month (1971) ^{5/} this would give the average three-child family a supplement of approximately 21 per cent of the father's earnings. The rates, however, are raised by about 50 per cent for families whose monthly incomes are less than 1,000 zlotys per person, and an additional supplement of 32.5 zlotys is added to the total. Apart from children's allowances, there is a payment of 37.5 zlotys per month for non-working mothers and for wives who are over 50 or incapacitated. The allowances are payable for all dependent children under 16 (under 24, if on full-time study).

433. Romania pays birth grants of 1,000 lei for the third and each subsequent child. This is equal to the statutory minimum wage introduced in 1972. Apart from this, there are family allowances for families with monthly incomes under 1,500 lei, rising from 150 lei per month for the first child to 160 for the second and 180 for the third and each subsequent child. Rural families and those earning more than 1,500 lei per month receive allowances at reduced rates. The payments are made by the employer on behalf of the Ministry to all regular employees and to members of producer co-operatives and collective farmers in respect of children under 14 (under 18, if totally disabled). From 1 September 1971, child allowances were increased by an average of 26.5 per cent from their previous level. ^{6/}

434. The Soviet family allowance policy was started in 1936 and, at first, foresaw payments only for the seventh and subsequent children. In 1944, the provisions were improved and accorded lump-sum payments for the third and all subsequent children. At the same time, monthly allowances for the fourth and subsequent children were introduced. Both these payments were halved in 1948 and appear to have remained unchanged for at least 20 years, despite the near doubling of nominal wages. The schedules, as reported in 1956, were lump-sum payments, rising from 20 rubles for the third child to 250 rubles for the tenth and subsequent children, and monthly allowances from 4 rubles for the fourth to 15 rubles for the tenth and subsequent children, payable from the first to the fifth birthday of each child. In 1956, these lump-sum payments amounted to about 27 per cent of the

^{3/} Information from the Hungarian Central Statistical Office, September 1972; Statistical Pocket Book of Hungary 1972, pp. 255-256.

^{4/} Some estimates put it as low as 20 per cent; Hungary Today 1970, p. 156.

^{5/} Polish answer to United Nations questionnaire, November 1972.

^{6/} Analyse des déclarations présentées par les gouvernements et les organisations internationales, The Hague, 22-26 August 1972, p. 40.

monthly average wage at the time (for the third child) and rose on the graduated scale to over 12 times that amount for the tenth child. The monthly allowances amounted to about 5.5 per cent of the average monthly wage (for the fourth child) and rose to over 20 per cent of the monthly wage for the tenth child. 7/

435. Unmarried mothers receive monthly allowances for all children from birth up to the age of 12. The scale, as reported in 1956, was about 6.7 per cent of the average monthly wage for an only child, 10 per cent for two children, and approximately 13.3 per cent for three or more children. 7/ These privileges, however, do not apply to unmarried mothers who live with the children's father or to those who subsequently marry.

436. From 1974 onward, it is planned to pay additional monthly allowances to families whose monthly incomes are below 50 rubles per head. 8/

437. In Yugoslavia, employed workers and members of certain liberal professions are entitled to monthly family allowances according to a scale descending from 32 dinars for the first child to 17 dinars for the fifth and each subsequent child under 15 (or under 26, if a full-time student). An average three-child family entitled to the full scale would receive 90 dinars per month, or slightly under 8 per cent of the net income averaged per person employed in 1970. The scale is reduced, however, for families with taxable incomes exceeding certain limits, and those in the highest brackets receive only 25 per cent of the figures quoted.

B. THE RIGHT OF MOTHERS TO SPECIAL CARE AND ASSISTANCE

438. In Bulgaria, employers are barred by law 9/ from dismissing women who have become pregnant or from changing their conditions of work between the fourth and the eighth month of pregnancy. Nor can they refuse employment to a new applicant on the grounds of pregnancy. 10/ They are, on the other hand, obliged to transfer pregnant women from heavy duties to lighter work after the fourth month of pregnancy without loss of earnings.

439. Under article 60 of the Labour Code working women are allowed fully paid leave periods of 120, 150 and 180 calendar days for the birth of their first, second and third children and 120 days for the birth of the fourth and subsequent children. Of these periods, 45 days may be taken before confinement. In addition, unpaid leave of from eight to 12 months (depending on the number of children already in the family) is allowed to women who wish to prolong their periods away from work after the birth of a child, without loss of pension rights or of other

7/ Sotsial'noe obespechenie v SSSR, Moscow, 1962, p. 180.

8/ Answer to United Nations questionnaire, 1972.

9/ Article 35 of the Labour Code.

10/ Article 119, section 1, of the Labour Code.

entitlements of any kind. These rights are granted to all mothers, whether in industrial employment or working as members of co-operative farms, provided only that they have worked for three consecutive months preceding their pregnancy. Mothers with children under three are entitled to up to 45 days' fully paid leave to look after them in case of illness. 11/

440. As mentioned before, there are birth grants of 20 leva for the first, fourth and all subsequent children, and of 200 and 500 leva for the second and the third child, respectively. 12/

441. Czechoslovak maternity benefits were originally introduced by Act 154 of 1969 (Labour Code). This was amended by Act 107 of 1971, which took effect from 20 October 1971. 13/ According to this legislation, maternity benefit is payable to women who have been insured for at least 270 days in the two years preceding confinement, though eligibility continues for six months after employment ceases. The benefits amount to 500 kcs per month for one child, 800 kcs for two children and 1,200 kcs for three children under two years of age. In addition, under Act 88 of 1968, there are "compensating allowances" paid to pregnant women and to mothers up to the end of the ninth month after confinement, if for reasons of pregnancy or motherhood they had to be transferred to lower-paid work. There is also financial aid payable during 26 weeks of maternity leave, usually starting four weeks before the expected birth. The benefits amount to 75-90 per cent of net earnings (depending on length of continuous employment in the same enterprise), subject to a minimum of 16 and a maximum of 120 kcs per day. These rates, however, may be reduced by 40-60 per cent during the last four weeks of maternity leave. Birth grants of 2,000 kcs are also payable when a woman worker or a member of a worker's family gives birth to a child. 14/ Under the same Ordinances, the provisions on social security of co-operative farmers and the self-employed 15/ were amended in the same direction.

442. In the German Democratic Republic, cash maternity benefits are payable to workers who have had six months' insurance during the last year, or 10 months' insurance during the last two years. The benefits amount to 100 per cent of earnings, payable for six weeks before and eight weeks after confinement. There is also a layette grant of 50 marks and a nursing grant of 10 marks per month, in addition to the normal birth grants of 500 marks for the first birth (rising progressively to 1,000 marks for the fifth and each subsequent birth).

11/ Information from the Bulgarian Institute of Social Insurance and Public Health, September 1972.

12/ Bulgarian answer to United Nations questionnaire, 1972.

13/ E/CN.4/1023/Add.4, pp. 11-12.

14/ Ordinance No. 98 of 1971.

15/ Ordinance No. 109 of 1971.

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443. In Hungary, the State pays maternity benefits of 100 per cent of earnings for up to 20 weeks before and after confinement, provided the mother has an employment record of nine months in the last two years (with a record between six and eight months, the benefits are payable at half the rate). The 20 weeks of maternity leave may start at any time during pregnancy at the mother's discretion, but a four-weeks mandatory period before confinement is currently under discussion. 16/ The benefits are in addition to the lump sum of 500-700 forints payable for each birth.

444. On 1 January 1967, Hungary introduced a new system of child welfare allowances which was greatly developed and improved in 1969. This provides for a monthly payment of 600 forints to mothers who stay away from work to look after the newborn child from the end of maternity leave until the child is three years old. The payment is made for each child under the age of three. The legislation guarantees re-employment of the mother at her old place of work when the three-year period has elapsed but makes it a condition of eligibility that no other income should be earned. It may be largely due to this qualification that the number of mothers opting to take advantage of these benefits has not been as large as might be expected. The rise in the consumer price index since the allowances were introduced suggests that the monthly upkeep of young children may now cost more than the statutory payments. Recipients of child-care allowance numbered only 92,000 in 1968 and 144,000 the following year. According to one source 17/ this accounted only for 75 per cent of those entitled to the allowances. The numbers rose, however, to 167,000 in 1970 and to 178,000 by December 1971. 18/

445. In Poland, up to July 1972, working women with an employment record of at least four months in the last year were entitled to cash maternity benefits equal to their normal earnings for 13 weeks, including at least two weeks before confinement. They also received one litre of milk per day (or its money equivalent) for up to 12 weeks after the maternity benefit ceased. In addition, under a resolution of the Council of Ministers dated 24 May 1968, mothers with an employment record of 12 months or more were entitled to one year's unpaid leave on completion of the paid maternity leave and had the right to reinstatement in their former work when this had elapsed. 19/ From 1 July 1972, the period of paid maternity leave was extended to 16 weeks for the first and 18 weeks for each subsequent child, and the period of optional unpaid leave was extended from one to three years. Simultaneously, every working woman was given the right to fully paid leave of up to 60 days per year to look after a child or children in case of illness (previously, this right had been limited to 30 days per year). 20/

16/ Information from the Hungarian Ministry of Health, September 1972.

17/ Népszabadság, 14 August 1969.

18/ Statistical Pocket Book of Hungary 1972, p. 257.

19/ E/CN.4/1011/Add.1, pp. 52-3.

20/ Z. Bajszczak and M. Winiewski, Problèmes de la protection Sociale des travailleurs en République Populaire de Pologne, p. 16.

446. The Romanian Labour Code prescribes lighter work for pregnant women, and prolonged rest periods are mandatory during work for nursing mothers. Maternity benefits of 50-85 per cent of normal earnings, depending on length of service (and 94 per cent of earnings for third and subsequent children, regardless of service record), are payable for up to 52 days before and 60 days after confinement. 21/ These benefits are available to all mothers, without minimum qualifying periods as insured workers.

447. In the USSR, the statutory length of paid maternity leave is 112 calendar days, of which, as a rule, 56 days are taken before confinement and 56 days after. In the case of abnormal or multiple births, the latter period is extended to 70 days, and, since 1966, the provision of 56 days' leave is also extended to women who adopt children from maternity homes. 22/ In accordance with the decisions of the Twenty-fourth Party Congress, the payments during that period are fixed at 100 per cent of the women's normal earnings, regardless of previous service record. In addition, the woman may claim unpaid leave from the end of maternity leave until the child is one year old, without loss of continuity benefits and with the right to reinstatement at the end of the period. 23/ There are also cash grants for layettes and baby foods where family income falls short of certain minimum limits. The benefits are in addition to the non-recurrent birth grants of 20 rubles, which come into operation with the third child and rise to 100 rubles for the sixth and 250 rubles for the eleventh and subsequent children. Family allowances, however, only come into operation with the fourth child.

448. According to the latest statistics, state budget expenditure on cash grants for maternity leave, birth grants, layettes and baby foods (including payments to unmarried mothers) rose from 542 million rubles in 1950 to over 1,300 million rubles in 1970, exclusive of additional grants of one million rubles used for similar purposes from centralized social insurance and collective farm funds. The number of mothers in receipt of family allowances (i.e., with four or more children) increased from 3,079,000 to 3,211,000 in the same period. 24/

449. Pregnant women are protected by special legislation prohibiting refusal of employment on grounds of pregnancy, barring night shifts, overtime work and work entailing absence from home. They must be offered lighter work and cannot be required to carry heavy burdens. Moreover, work entailing absence from home or overtime cannot be required of a woman with children under eight years of age without her consent.

450. Women with young children are also exempt from night shifts and are entitled to part-time working without loss of length-of-service benefits or skill ratings. 25/

21/ Analyse des déclarations présentées par les gouvernements et les organisations internationales, The Hague, 22-26 August 1972, p. 40.

22/ Soviet answer to United Nations questionnaire, 1972.

23/ Soviet answer to United Nations questionnaire, 1972.

24/ Vestnik Statistiki, No. 1, 1972, pp. 91-2.

25/ Soviet answer to United Nations questionnaire, 1972.

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451. Similar provisions apply in the Union Republics of the USSR. 26/

452. In Yugoslavia, maternity benefits are payable to all workers, members of handicraft and fishery co-operatives, students, and members of certain liberal professions, regardless of service record. The 1969 laws fixed the benefits at 80 per cent of normal earnings, rising to 100 per cent, if pregnancy was preceded by six continuous or 12 total months of insurance. The benefits are payable for up to 105 days, including 45 days before confinement. There is, in addition, a grant of 80 dinars or a layette for each newborn child.

453. Some concern was expressed by an ILO Committee of Experts on reports by the Yugoslav Government that night work undertaken by women had risen between 1967 and 1970 and that the number of women involved had increased from 35,500 to 50,000 between the two years. 27/

C. THE RIGHT OF CHILDREN AND YOUNG PERSONS TO SPECIAL CARE AND ASSISTANCE

454. The very high participation rate of women in the labour force of most socialist countries of eastern Europe naturally prompts a variety of questions concerning the effects of this situation on the family. A sample survey of 250,000 Soviet families in 1967 28/ disclosed that over 70 per cent of the women over 16 were in full-time employment and that the percentage in the urban section of the sample was as high as 75. Throughout the 1960s there had been a sharply declining trend in the number of full-time housewives and farm workers on private household plots (from 17.9 million in 1959 to 5.9 million in 1970), motivated largely by the desire to participate in collective work, to gain material independence from the husband and, only to a lesser degree, by the wish to increase the family income. 29/ It may be anticipated that the participation of women in productive employment will very soon become a universal rule. 30/

455. In these circumstances, the quality and intensity of care given to young children will come to depend more and more on the provision of labour-saving equipment in the home and of crèches and kindergartens for the care of the young while both their parents are at work.

26/ Byelorussian and Ukrainian answers to United Nations questionnaire, 1972.

27/ Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, Fifty-seventh Session, report III, vol. A, part 4A (Geneva, ILO, 1972), p. 169.

28/ Ts.S.U., Zhenshchiny i deti v SSSR, Moscow 1969, p. 111.

29/ Soviet answer to United Nations questionnaire, 1972.

30/ Among women of working age, the participation rate was 92 per cent in Bulgaria (1969), 97.7 per cent in Poland (1968) and 84.8 per cent in the USSR (1970). Answers to United Nations questionnaire, 1972.

456. In the USSR, considerable progress has been made of late in the effective provision of free time for the working woman and in better facilities giving relief from domestic chores. The recent change-over to a five-day working week for the majority of workers meant a saving of 70-80 hours per year and added 100 extra work-free days to the annual time schedule of the population. Services like home delivery of provisions and meals, laundries, cleaning services etc. have doubled in volume during the eighth five-year plan, and even trebled in rural areas, while the production of labour-saving consumer durables expanded by 80 per cent. At the same time, the number of full-time places in pre-school educational establishments increased by 2.5 million and reached a total of over 9 million in 1970, while, in rural areas, 5 million children were accepted in crèches on a seasonal basis. It has been stated that, in certain towns and urban settlements, the demand for such places is now fully met. 31/ Another source states that already by 1966 as many as 71 per cent of pre-school children of working mothers were cared for in institutions of this kind (located in urban areas), while the corresponding proportion in rural areas was 61 per cent. This, however, was derived from a sample survey. 32/ There are, in addition, the so-called "prolonged-day groups", where older children stay after school hours for meals and general supervision at the request of their parents. The number of children in such groups was given as 4 million in 1966. The charge to the parents for keeping a child at kindergarten varies between 5 and 12 rubles. 33/

457. There are great variations in the provision of care for pre-school children in the other socialist countries of Eastern Europe.

458. In Bulgaria some 8 per cent of all children up to three years of age are placed in day or week crèches; in urban areas, however, the proportion reaches 14-15 per cent, and in rural areas it is correspondingly less. Among children between three and seven years of age, 67.8 per cent were placed in kindergartens (21.4 per cent of them in full-time daily care). 34/

459. Given that about 90 per cent of all women with children under school age are in full-time employment, the expansion of all forms of public pre-school education would seem to be highly desirable. The present five-year plan (1970-1975) foresees a doubling of places in the crèches for the younger age group in order to raise the proportion of accommodation of children under three years of age from 8 to 25 per cent by 1975. At present, parents pay about 20-30 per cent of the true costs of crèches, according to income-related scales, the average charge levied being approximately 20 leva per child per month. 35/

31/ Soviet answer to United Nations questionnaire, 1972.

32/ Ts.S.U., Zhenshchiny i deti v SSSR, Moscow 1969, p. 126.

33/ Information from a Soviet government agency, October 1972.

34/ Bulgarian answer to United Nations questionnaire, 1972.

35/ Information from the Bulgarian Institute of Social Security and Public Health, September 1972.

460. The total number of beds in children's nurseries increased from 725,000 to 1,047,000 between 1960 and 1969. In the latter year, about 45 per cent of these were in permanent nurseries (including children's sanatoria), and 55 per cent in establishments of a seasonal type. 36/

461. In Czechoslovakia, the number of places (beds) in children's nurseries increased from 41,000 to nearly 66,000 between 1960 and 1970, with 8,400 located in or attached to factories in the latter year. The number of children's nurses more than doubled in the same period. 37/

462. In Hungary, the number of infant nurseries increased by nearly 30 per cent between 1960 and 1971, while permanent accommodation in them rose by over 40 per cent. In 1971, however, only 9.3 per cent of all children of nursery-school age could be found places (the proportion in Budapest was 22.3 per cent, and in the rest of the country 7.1 per cent). 38/ The position in the older age groups admitted to kindergartens was markedly better, with nearly 59 per cent being found places in 1971. 39/ The fees paid by parents are income-related and vary from 1 to 3 forints per day for low-income families to 25-30 forints per day for the highest brackets. 40/

463. In Poland, the number of places in permanent crèches and infant houses increased from 57,100 to 73,000 between 1960 and 1971. In the latter year, 511,400 children were accommodated in nurseries (nearly three quarters of them in urban areas), and 147,600 had places in rural kindergartens. 41/ This represented an increase by over 44 per cent since 1960. Over 35 per cent of children under school age attended nursery schools or kindergartens in 1967/8. 42/

464. In Romania pre-school education comprises crèches for children under three and a network of kindergartens for those between three and six. Places in day or week crèches are paid for by parents according to an income-related scale, with a maximum of 70 lei per child per month. Education in the kindergartens is free and, in 1972, provided places for as many as 45.6 per cent of the children in the relevant age group (the 1938 proportion had been 6.4 per cent). It is planned to raise the proportion to 64.5 per cent by 1975 and to over 80 per cent by 1980. The ultimate aim is to provide pre-school education for 100 per cent of the children under school age. 43/

36/ Statistical Pocket Book, Bulgaria, 1970, p. 129.

37/ Statistical Abstract, Czechoslovakia, 1971, p. 117.

38/ Statistical Pocket Book of Hungary 1972, pp. 269 and 280.

39/ Ibid.

40/ Information from the Hungarian Ministry of Health, September 1972.

41/ Polish answer to United Nations questionnaire, November 1972.

42/ 1970 Report on the World Social Situation (United Nations publication, Sales No. E.71.XIII.4), p. 99.

43/ Information from the Romanian Ministry of Education, October 1972.

465. Yugoslav crèches catering for children under three years of age are entirely financed from social funds and make no charge to the parents. Kindergartens for children from four to six years old, however, do make an income-related charge for the food and other amenities supplied, although the cost of supervision and care is paid from collective funds. The proportion of children under seven years of age in both forms of pre-school education is still very low and was given as 6.8 per cent in 1971. In the countryside, this proportion is lower still, but in certain regions, notably the smaller towns in the Vojvodina, it may be as high as 80 per cent. 44/

466. All socialist countries of eastern Europe give special assistance and protection to young people about to enter the labour force and to young workers in the early stages of their career.

467. The Basic Labour Code of the USSR, for instance, prohibits the employment of children under 16 years of age. In exceptional cases, however, adolescents of 15 years and over may be employed with the consent of the factory, works, or local (trade union) committee. The Code also prohibits the employment of adolescents under 18 years on work detrimental to health or of a dangerous nature and on underground work. In fact, workers under 18 years of age can be employed only after medical tests, which must be repeated annually until the eighteenth year is reached; they are exempted from overtime and night work. Their working hours are reduced to six hours per day and 36 hours per week (24 hours, if under 16), and their annual leave entitlement is one month.

468. Wage payments to workers under 18 years of age must equal those of adults in the same job, even though they work shorter hours. In the case of piece-work on shorter hours, the earnings payable must be supplemented to equal the total which would be obtained if a full day were worked.

469. Enterprises and other employing authorities in the USSR are given quotas for the employment at work or in training schemes of young people about to leave general, trade or technical schools, and for the employment of those under 18 who are not school-leavers. These are filled in accordance with annual and medium-term plans drawn up by republican government in conformity with the teaching programmes of the schools.

470. Young graduates from higher and secondary specialist schools are legally obliged to work not less than three years at the work place (or work places) assigned to them by their Commission for the Individual Placement of Young Specialists. The Commission, which is chaired by the school director, is obliged to consider objections from those it is proposing to direct to specific work but can overrule these objections if it sees fit.

44/ Information from the Yugoslav Federal Institute for Educational Research, September 1972.

45/ Information from a Soviet government agency, October 1972.

471. Young people who are members of the League of Young Communists (Komsomol), and recruits to the "social levies" (obshchestvenny prizyv) can apply for work of national importance in outlying regions. 45/ The law emphasizes the voluntary principle in these recruitments.

472. Young workers under 18 years of age are protected by law against dismissal from employment, except in the line of general cuts in personnel or redundancies in the enterprise. Any employing authority wishing to dismiss such a worker must obtain the approval of the Local Commission for the Affairs of Minors at district or city level. Dismissal because of redundancy, lack of qualifications, inadequate health or other permissible reason must be linked with the offer of new employment in another enterprise or institution.

473. Similar provisions apply in the Union Republics of the USSR. 46/

474. In Bulgaria, the employment of persons between 15 and 16 years of age (as well as night work for them) is subject to special approval by labour inspectorates, and no person under 18 may be employed on arduous or unhealthy tasks. The employment of anyone under 18 requires preliminary clearance by the medical authorities after careful examination. Working hours for those under 16 are reduced to six hours per day. 47/

475. In Hungary, workers under 18 years of age are also restricted to a six-hour day, and their leave entitlement is raised to one month per year. In 1971, there were still some 24,000 persons of 14 years of age working in the national economy. Their working hours, however, are restricted by statute to four per day until they reach the age of 16. The employment of children under 14 years is prohibited by law, as is night work for anyone under 18. 48/

476. In Romania, workers under 18 years of age are restricted to a six-hour day and a 36-hour week, with annual paid leave of 24 days. 49/

477. Similar privileges are granted to young workers in other socialist countries of eastern Europe.

45/ Information from a Soviet government agency, October 1972.

46/ Byelorussian and Ukrainian answers to United Nations questionnaire, 1972.

47/ Bulgarian answer to United Nations questionnaire, 1972.

48/ Information from the Hungarian Central Statistical Office, September 1972.

49/ Information from the Romanian Ministry of Labour, October 1972.

Chapter VI

THE RIGHT TO EDUCATION

478. The statements regarding this right in the Constitutions of the socialist countries of eastern Europe are unambiguous and of universal application.

479. Article 121 of the 1936 USSR Constitution, as amended in 1947, proclaims the right of all citizens to education, safeguarded by universal and compulsory elementary education, by free education up to and including the seventh grade (generally 14 years of age) and by a system of state stipends for students in higher educational establishments who excel in their studies. Article 122 guarantees the right of women to education on an equal footing with men. The Constitutions of the Union Republics of the USSR give similar guarantees, while the specific methods of implementation are spelled out in derivative legislation.

480. In the Byelorussian SSR the basic laws in this field are those of 8 April 1959 "on the strengthening of the links between schools and national life and the further development of education in the Byelorussian SSR"; of 21 April 1970 "on the conversion of schools of general education to the systematic teaching of the fundamentals of science beginning with the fourth grade"; and of 28 June 1972 "on the completion of the transition to universal secondary education of young people in the Byelorussian SSR". 1/

481. Article 45 of the Bulgarian Constitution states that citizens are entitled to free education in establishments belonging to the State (the primary grades being compulsory), that the State must create the conditions for universal secondary education, a favourable environment for education in general and financial facilities for study in the form of stipends and scholarships. Citizens of non-Bulgarian extraction are entitled to study in their own languages, though the study of the Bulgarian language is compulsory. The Constitution further specifies that education must be based on the achievements of modern science and on the Marxist-Leninist ideology. 2/

482. Similar principles are in operation in the other socialist countries of eastern Europe.

A. THE RIGHT TO FREE PRIMARY EDUCATION

483. Compulsory free education goes well beyond the primary stage in all socialist countries of eastern Europe today. The table below gives a conspectus of the legal situation in these countries and of the provision of general (i.e., non-vocational) education at first and second levels. This corresponds quite closely, though not precisely, to the phase covered by compulsory education. The parallel situation in three western countries is illustrated for comparative purposes.

1/ Byelorussian answer to United Nations questionnaire, 1972.

2/ Bulgarian answer to United Nations questionnaire, 1972.

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		<u>Compulsory education</u>		<u>General education*</u>			
		<u>Earliest age of entry</u>	<u>Dura- tion</u>	<u>Number of teachers (thous.)</u>	<u>Number absolute (thous.)</u>	<u>Number of pupils</u> <u>per 1,000 inhabitants</u> <u>per teacher</u>	
Bulgaria	1960-1961	7	..	51.3	1,213	154	24
	1970-1971	7	8	54.5	1,157	136	21
Czechoslovakia	1960-1961	6	9	92.9	2,227	136	24
	1970-1971	6	9	104	2,077	145	20
German Dem. Rep.	1960-1961	6	10	86	2,059	119	24
	1970-1971	6	10	138	2,667	156	19
Hungary	1960-1961	6	8	63.0	1,532	153	24
	1970-1971	6	8	70.3	1,284	124	18
Poland	1960-1961	7	7	193	5,272	178	27
	1970-1971	7	8-9	267	5,869	181	22
Romania	1960-1961	7	4 + 3 ^a	105	2,590	141	25
	1970-1971	6	10	154	3,329	164	22
USSR	1960-1961	7	7, 10 ^b	1994	36,051	168	18
	1970-1971	7	8	2477	49,010	202	20
Yugoslavia	1959	7	8	75	2,669	146	36
	1968	7	8	120	3,075	155	26
Germany (Fed. Rep. of)	1959	6	8-9 ^c	193	6,168	120	32
	1967	6	8-9 ^c	317	7,640	132	24
England and Wales	1958	5	10	300	7,498	166	25
	1967	5	10	404	8,111	168	20
United States of America	1957	6	8-12	1401	36,860	214	26
	1967	6	8-12	2116	50,187	252	24

* First level and non-vocational second level.

a/ Four years compulsory for all and a further period of three years compulsory in areas with seven-grade schools.

b/ Compulsory 10 years in urban areas; universal compulsory eight-year education began to be introduced in 1959-1960.

c/ Full-time education only; children over the age of 14 or 15 years not attending full-time schools are required to attend part-time vocational schools until they are 18 years old.

Sources: UNESCO, International statistics relating to education, culture and mass communication, 1961, pp. 184 et seq.; UNESCO, International Yearbook of Education, 1969, pp.182 et seq.; UNESCO, Statistical Yearbook, 1970, pp. 49 et seq., 80 et seq.; La région de la CEE en chiffres, New York, 1972, p. 80; Statisticheskii ezhegodnik stran-chlenov SEV, 1971, pp. 383 et seq.; Statistical Abstract of the United States 1971, pp. 801-802.

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484. It will be seen that the number of pupils in general education per thousand inhabitants does not greatly vary as between eastern and western Europe, though it is substantially below the United States level in both areas. The last 10 years have seen a slightly increasing trend in this number in all the countries under review, except for Bulgaria, Czechoslovakia and Hungary. The pupil-teacher ratio is also of the same order of magnitude in eastern Europe and the western countries mentioned (including the United States); it appears to have improved in the last 10 years in all the countries under review, except for the USSR, where it was at the most favourable end of the scale at the beginning of the period and remained approximately stable throughout the 1960s.

485. In the USSR primary education, properly so-called, encompasses the age groups between 7 and 11 years. It may be given in primary schools restricted to these groups or in the first four forms (grades) of seven-, eight-, or ten-year secondary schools. The number of pupils in primary schools proper was given as 3.6 million in the school-year 1955-1956, and the number of those in the first four grades of other schools as 10 million, 3/ suggesting a total of 13.6 million children who would elsewhere qualify for the appellation "primary school pupils". This, together with the children of the same age group in the special "schools for workers' and peasants' youth" and those in schools for handicapped children, must have accounted for the total population in the age group in 1955-1956, - a year in which this cohort was comparatively depleted.

486. Universal primary education appears to have been basically achieved as early as 1931-1932, when the number of pupils in the first four grades of primary, seven-year, and secondary schools had reached 17.7 million. 4/

487. By the early or middle 1950s, the Soviet Union had achieved universal seven-year education up to the age of 14, with a population of about 13 million in the last three grades of the seven-year schools. This corresponded to the 12-14 age group in the comparative "bulge years" (i.e., before the war-time fall-out in births was beginning to have its effect on this cohort).

488. At present, there is free and compulsory education in the USSR from the age of seven for a period of eight years. In 1970-1971, the number of pupils in schools of general education was 45.4 million, of whom 20.5 million were in the first four grades 5/ - the age group corresponding approximately to the primary levels in a number of Western countries (7-11). By 1971, total numbers in schools of general education had risen to 49.2 million. 6/

3/ Ts.S.U., Kul'turnoe stroitel'stvo SSSR, Moscow, 1956, pp. 81 and 122.

4/ Ibid.

5/ Ts.S.U., Narodnoe khozyaystvo SSSR v 1970 g., p. 629.

6/ Vestnik Statistiki No. 6, 1972, p. 91.

489. The position in the Union Republics is in every way analogous to that of the USSR as a whole. 7/

490. In Bulgaria, 99.6% of all children of compulsory school age (7-15) are under full-time instruction, and all education is free.

491. In Hungary, compulsory education starts in the first September after completion of the child's sixth year and finishes at age 14. Attendance at school is universal in the early grades; every effort is made to enrol the children of nomadic gypsies, but these often leave after the first few grades. A large portion of the 10% non-attendance in schools of general education is accounted for in this way. Education is free, but parents pay for their children's school equipment and books. 8/

492. In Poland, school attendance in the compulsory age group (7-14) is virtually universal. In the school year 1965-1966 compulsory education was extended from seven to eight years. Tuition is completely free of charge.

493. In Romania, which has compulsory education between the ages of 6 and 16, the primary level of education is usually identified with the 6-10 age group. Attendance at this level was reported to be universal, with 1.34 million children at school in 1971. 9/

494. In general, it may be said that all socialist countries of eastern Europe have now achieved universal, compulsory and free education at the primary level. Shortfalls below 100% attendance, where they do occur, are of negligible proportions and largely attributable to nomadic or incompletely settled minorities, whose children the Government is making every effort to enrol in the normal school programme.

495. In Yugoslavia, about 92% of the relevant age group (7-15) attend the eight-year primary school, though the proportion drops to 70% in the countryside. Tuition is free, but the cost of books, transport and maintenance is borne by the parents. 10/

B. THE RIGHT TO EQUAL ACCESS TO HIGHER EDUCATION ON THE BASIS OF CAPACITY

1. Secondary Education

496. Contrary to the definitions current in some Western countries, secondary education in the socialist countries of eastern Europe is usually identified with the education of children over 14 or 15 years of age, immediately following the primary, and now compulsory level. As such, it must rank as the initial stage of "higher" education, even though it will frequently have its physical location

7/ Answers to United Nations questionnaire, 1972.

8/ Information from the Hungarian Central Statistical Office, September 1972.

9/ Information from the Romanian Ministry of Education.

10/ Information from the Yugoslav Federal Institute for Educational Research, September 1972.

in schools of general education. The situation with regard to this phase of the educational system is illustrated in the table below. Data on three Western countries are added, but care must be taken to allow for different ages of entry before the figures are compared.

		<u>Secondary education*</u>			<u>Vocational secondary education**</u>	
		<u>Earliest age of entry</u>	<u>Duration</u>	<u>Number of pupils per 1,000 inhabitants</u>	<u>per teacher</u>	<u>Number of pupils per 1,000 inhabitants</u>
Bulgaria	1959	14	4	32	15	11.8
	1968	15	3-4	45	16	17.7
Czechoslovakia	1959	15	3	16	14	17.4
	1968	15	4	26	18	19.8
German Dem. Rep.	1959	14	4	55	..	10.0
	1968	15	..	45	..	11.0
Hungary	1959	12	4	15	18	10.2
	1968	14	..	22	18	17.4
Poland	1959	14	4	21	16	12.7
	1968	15	4/5	37	8	24.7
Romania	1959	14	4	19	18	2.8
	1968	14	4-5	32	19	7.6
USSR	1959	14	3	22	..	9.5
	1968	12	4 + 2-3	37	..	18.0
Yugoslavia	1959	11	4 + 4	17	20	..
	1968	15	4	34	26	..
Germany (Fed. Rep. of)	1959	10	9	62	36	..
	1968	10	9	73	18	..
England and Wales	1958	11-12	7	67	21	..
	1968	11-12	7	69	..	..
United States of America	1957	12-14	4	52	17	..
	1968	12-14	4	95	20	..

* General second-level and vocational education (excluding teacher training).

** Includes evening and correspondence courses, but excludes factory and craft schools; years 1960-1961 and 1970-1971.

Sources: UNESCO, International statistics relating to education, culture and mass communication 1961, pp. 184 et seq.; UNESCO, International Yearbook of Education, 1969, pp. 182 et seq.; UNESCO, Statistical Yearbook 1970, pp. 49 et seq., 80 et seq.; La région de la CEE en chiffres, New York 1972, p. 80; Statisticheskii ezhegodnik stran-chlenov SEV, 1971, pp. 393 et seq.; Statistical Abstract of the United States, 1971, pp. 801-802.

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497. The table covers all secondary education, whether of a general or vocational nature, excluding only education in factory schools or craft schools and on-the-job training.

498. It will be seen that in all the socialist countries of eastern Europe, except the German Democratic Republic, the proportion of the population involved in secondary education has increased very greatly in the decade under review, though the pupil-teacher ratio appears to have slightly worsened everywhere, except in Poland.

499. In Bulgaria, 15 years is the age for normal entry into secondary education, the duration of which is three years (four years in technical schools). Admission is according to grades achieved in primary education or by entrance examination in those cases where the demand for places exceeds the supply. Otherwise, children are accepted into the type of school selected by their parents, with the advice of special commissions for professional orientation. Tuition is free. 11/

500. In Hungary, secondary education normally starts at the age of 14 and covers about 80-85% of children in the relevant age groups. Admission to secondary education is entirely based on performance (grades) at the preceding level, and there is no entrance examination. Some 35-40% of the age group attend four-year secondary or technical schools, which are gateways to the universities, while another 35-45% go to apprenticeship schools for three-year courses. The remainder complete their education with the compulsory grades, though they may attend schools of further education (in urban areas) and are free to apply for special training at a later stage in life. Tuition in secondary education is entirely free, and there are maintenance allowances and grants for books and equipment for the socially deprived. 12/

501. In Poland, 15 years is the age for normal entry into secondary education, the duration of which is normally four years, though special courses of from two to five years' duration also exist. It was reported that 74.6% of children of the relevant age groups were in second-level grades during the school year 1971-1972. 13/ Within the special age range 15-18, the proportion of children attending secondary or vocational schools rose from 41% in 1950 to 65% in 1960 and 87% in 1970. 14/ In admissions policy, special efforts are made to equalize the chances of children from workers' and peasants' families whose backgrounds tend to be less intellectual. In 1970, the proportion of workers' and peasants' children among the pupils of secondary and vocational schools was 65.8%, and efforts are being made to increase this still further. 15/ Tuition is free of charge.

11/ E/CN.4/1011/Add.2, pp. 4-5.

12/ Information from the Hungarian Central Statistical Office, September 1972.

13/ Polish answer to United Nations questionnaire, November 1972.

14/ Polish answer to United Nations questionnaire, February 1971.

15/ E/CN.4/1011/Add.1, p. 54, and Polish answer to United Nations questionnaire, February 1971.

502. In Romania, secondary education is identified with the age group 10-16, though there is a special hurdle at age 14 which determines the profile of secondary education in the narrower sense. At that age, pupils are assigned to four-year general lyceums or five-year specialized lyceums (both gateways to universities) on the basis of a competitive examination. Those not so assigned continue their compulsory general education for two years and may enter vocational schools or apprenticeship for a further two years thereafter. In 1972, there were 91,000 pupils, or slightly over 36% of the relevant age group in the lyceums of the two kinds, while 94,000 were continuing their general education. 16/ Tuition, including books, is free, and there are stipends for clothes, maintenance and transport, where necessary.

503. The Programme of the Communist Party of the USSR adopted by the twenty-second Congress in October 1961 foresaw the introduction of compulsory secondary general and polytechnical education for all children of the relevant age groups in the decade 1961-1971. During that time, the number of pupils in grades 8 to 10 (11) in schools of general education (aged 15-18) increased from 5.1 to nearly 13 million in the school year 1970-1971. 17/

504. The numbers of teachers and directors in Soviet primary and secondary schools increased from 1.9 million in 1961 to over 2.4 million in 1969-1970. Of these, about one fifth had five years' teaching experience or less in both years. But whereas only slightly over one third possessed higher educational qualifications in the first year, this proportion had increased to nearly one half by 1969-1970. About half of all teaching personnel were women in both years.

505. Secondary education is free throughout the USSR.

506. In Yugoslavia, secondary education starts at age 15 or 16 and normally lasts until the age of 18 is completed. Admission is at the discretion of the secondary school, which decides partly on the basis of a competitive examination and partly on reports received from the candidates' primary schools. Secondary educational establishments comprise the gymnasia (gateways to universities), schools for skilled workers (two-three years) and the four-year technical schools for foremen, technicians, medical assistants etc. It is estimated that 36-40% of the relevant age groups are in secondary education. About 25% of these are in gymnasia, 45% in the schools for skilled workers and the remainder in the technical schools. Tuition is free, but books, transport etc. are paid for by the parents (unless communal transport is provided). 18/

16/ Information from the Romanian Ministry of Education, September 1972.

17/ Ts.S.U., SSSR v tsifrakh v 1971 godu, p. 185.

18/ Information from the Yugoslav Federal Institute for Educational Research, September 1972.

2. Post-secondary education

507. The clearest indication of the extent and accessibility of higher education is the number of students in the corresponding establishments per ten thousand inhabitants. The table below gives this figure for the socialist countries of eastern Europe and for three Western countries for the purpose of comparison.

Number of students in higher educational establishments
per 10,000 inhabitants

	1960- <u>1961</u>	1970- <u>1971</u>		1960- <u>1961</u>	1970- <u>1971</u>
Bulgaria	70	108	USSR	111	188
Czechoslovakia	69	91	Byelorussian SSR	72	154
German Dem. Rep.	59	81	Ukrainian SSR	97	170
Hungary	45	78	Germany (Fed. Rep. of) ^{a/}	52.5	69.5
Poland	55	102	United Kingdom ^{b/}	49.1	74.7
Romania	39	75	United States of America <u>a/</u>	198.3	347.1
Yugoslavia ^{a/}	76.7	105.7			

a/ 1960 and 1968.

b/ 1961 and 1967.

Sources: Statisticheskii ezhegodnik stran-chlenov SEV 1971, p. 398; La région de la CEE en chiffres, New York 1972, p. 80; Ts.S.U., Narodnoe khozyaystvo SSSR v 1970 g., p. 643.

508. It is clear that if this performance indicator is taken at face value, the socialist countries now outperform the two western European countries cited, and most of them do so by an ample margin. The United States, on the other hand, appears to be very far in advance of both. Differences in classification and levels of instruction may invalidate the conclusions to be drawn from the figures.

509. In Bulgaria, the normal age of entry into higher education is 18, and admission depends on the result of an entrance examination. Higher education is financed by the State and entirely free to the student, who may qualify for additional support in the shape of scholarship, hostel accommodation etc., provided his marks reach a certain minimum standard. 19/ In 1969-1970, there were 85,700 students in Bulgarian institutions of higher education (excluding teacher-training and other specialized training institutes). Some 45% of them studied engineering or technology, 6.2% agronomy and over 16% economics. 20/

19/ Bulgarian answer to United Nations questionnaire, 1972, and E/CN.4/1011/Add.2, pp. 4-5.

20/ Statistical Pocket Book of Bulgaria, 1970, p. 123.

510. Higher education in Czechoslovakia comprises universities, colleges of technology, schools of economics, schools of agriculture, and colleges of art. In 1970-1971 there were 37 of these in all, divided into 104 faculties, with courses varying from four to six years in duration. Tuition and examinations are free, and students are eligible for "social scholarships" (150-450 kcs.) geared to family income and to "performance scholarships" of 150-350 kcs. for grades awarded above a certain minimum. The proportion of students in receipt of scholarships of one kind or another was 53% in 1969-1970. Among the 102,000 full-time students in the academic year 1970-1971, about one half studied technological or industrial subjects, engineering or agronomy, 20% studied education, 13% medicine, and 6.5% economics and administration. In the same year, 24.1% of the student body were children of workers' families, 5% came from peasant families, and 70.9% from other households. 21/

511. The 54 universities and higher educational institutes of the German Democratic Republic accommodated 152,300 thousand students (89.3 per 10,000 inhabitants) in 1971. Of these, 111,000 were full-time students, all but 10% of whom were in receipt of scholarships. Over one third of all students studied engineering or technology, and about 22% education. 22/

512. In Hungary, higher education normally starts at 18 years of age and is divided into university education (four years or more) and specialized higher education (three years or less), comprising teacher training, industrial institutes, technicums etc. There are also one-faculty higher educational establishments at university level. Admission is by special criteria, combining performance in a competitive entrance examination with the grades achieved at secondary school. 23/ Nearly two thirds of secondary school-leavers apply for admission to higher education, but only half of these are normally successful. The remainder has the opportunity of taking evening or correspondence courses during work. Students whose performance exceeds certain minimum standards receive income-related scholarships; others may be called upon to pay up to 1,000 forints per semester. In 1971-1972, 83.3% of all students received scholarship and other financial aid, and nearly one half lived in students' hostels. Students can also conclude agreements with enterprises for financial support on credit. About 45% of full-time students in 1971 studied engineering, technology or agronomy, and close on 17% were in teacher training colleges of various kinds. Some 46% of students are women in the total students population, but the proportion rises to 50% in economics and up to 67% in arts subjects; in engineering and technology it is about one third. 24/

21/ Byzzhee ychebrnye zavedeniya Ch.S.S.R., Prague 1972.

22/ Statistisches Jahrbuch der DDR, 1972, pp. 392-397.

23/ Decree No. 3 of 1963/V.19/M.M. specifically forbids the taking into account of the social origin of applicants for admission to higher educational establishments.

24/ Information from the Hungarian Central Statistical Office, September 1972, and Statistical Pocket Book of Hungary, 1972, pp. 288-289.

513. The 85 institutions of higher education in Poland accommodated over 329,000 students in 1970-1971, of whom 210,000 were full-time intramural students, and the rest studied by correspondence, in evening classes, or as extension students (42.3 per cent of the total were women). Admission is by a points system based partly on performance in an entrance examination, but partly also on privileges accorded to children of workers' and peasants' families, with a view to equalizing opportunities. In 1970, 29.9 per cent of students in higher education were from workers' families, and 15.5 per cent came from peasant stock, while the remaining 50.3 per cent were classed as intelligentsia by social origin. Nearly 30 per cent of students, or 44 per cent of intramural students, were in receipt of scholarships in 1970-1971 (over 40 per cent of them at full rates), and a similar proportion lived in students' hostels. In the academic year 1969-1970 about 47 per cent studied technological subjects or agronomy, and 14 per cent economics. 25/

514. In Romania, higher education courses (from three to six years) at universities and institutes of technology start at age 18 and were attended by 183,000 students in 1970-1971. Apart from this, there are one- or two-year post-secondary specialized schools offering vocational training to secondary school-leavers which accommodated 39,000 students in the same year. University admission is by examination, and tuition is free. Some 60 per cent of students are in receipt of scholarships. 26/

515. The USSR has, at present (1972), 811 universities and institutes of higher learning (teacher training colleges, institutes of technology or agronomy, schools of medicine, economics or law and conservatories). The total number of students rose from 1.25 million in 1950-1951 to 2.4 million in 1960-1961, and 4.58 million in 1970-1971, 27/ - a nearly fourfold expansion in 20 years. The last-mentioned figure would appear to imply that over 18 per cent of the "college-age group" (18-24) were engaged in higher studies in one way or another in 1970, but the figure may be distorted by the presence of older age groups studying in their free time or in periods of leave from their normal occupations. Slightly under 37 per cent of all students in 1970-1971 were enrolled in correspondence courses, and about 14 per cent in evening classes (for which there is no age limit), while the remaining 49 per cent were in full "day-time" departments for which the age limit is 35. 28/ These proportions had not substantially altered in the last 10 years. Of total graduations in 1970, slightly under one half (47.8 per cent) were in the fields of technology, engineering, forestry or agricultural sciences, 24.1 per cent in education and culture and 13.4 per cent in economics and law. 29/

25/ Concise Statistical Yearbook of Poland, 1971, pp. 279-283, and Polish answer to United Nations questionnaire, February 1971.

26/ Education in the Socialist Republic of Romania 1970-1971, and information from the Romanian Ministry of Education, October 1972.

27/ Ts.S.U. Narodnoe khozyaystvo SSSR v 1970 g., p. 640.

28/ Ts.S.U., SSSR v tsifrakh v 1970 godu, p. 188.

29/ Ibid.

/...

516. Women accounted for 49 per cent of all students in 1970-1971, with a heavy concentration in non-technological subjects, particularly education, fine arts and cinematography (65 per cent women in 1968-1969), law and economics (59 per cent), and physical culture and health (59 per cent women). 30/ There is little doubt that in the proportion of women in higher education the USSR is one of the leaders of the world. The corresponding proportion in the United States and in France was about 37 per cent in the late 1950s, at a time when it already exceeded 40 per cent in the USSR (43 per cent in 1960-1961). 31/

517. Admission to higher education is by competitive entrance examination, but care is taken to admit an equal percentage of applicants from among those who come straight from secondary schools and those who have had two or more years' service in the national economy. 32/

518. Tuition in higher education is free in the USSR, and all students who successfully pursue "day-time" studies are entitled to stipends of 40 or 45 rubles per month, depending on course attended. 33/ In 1972, between 73 and 75 per cent of all students were in receipt of such stipends, and it is known that rectors of higher educational establishments have funds at their disposal which can be used to subsidize students without stipends.

519. Apart from higher educational establishments, properly so-called, the USSR has a network of "medium specialist" educational institutions, comprising technical high schools (technicum), schools of nursing, midwifery and other medical professions, agricultural institutes etc. The number of students in these establishments rose from 2.1 million in 1960-1961 to 4.38 million in 1970-1971. The percentage of those enrolled in the "day-departments" (presumably for full-time study) rose from 50 per cent in 1960-1961 to about 58 per cent in 1970-1971. In the latter year, about 27 per cent were studying by correspondence, and the rest were enrolled in evening classes. 34/

520. There is no evidence of discrimination by any criterion of nationality as defined in the population census, though this may not accurately reflect the position of special socio-economic groups. 35/ In 1959, the grouping described as "Russian" accounted for 54.6 per cent of the total population, while among the student population in higher and medium-specialist education it accounted for 61 and 64 per cent, respectively (1962-1963). The discrepancy is too small, and information insufficient, to allow any conclusion to be drawn from this.

30/ Ts.S.U., Zhenshchiny i deti v SSSR, Moscow 1969, p. 56.

31/ Ts.S.U., Vysshee obrazovanie v SSSR, Moscow 1961, p. 253.

32/ Information from a Soviet government agency, October 1972.

33/ Soviet answer to United Nations questionnaire, 1972.

34/ Ts.S.U., Narodnoe khozyaystvo SSSR v 1970 g., p. 640, and SSSR v. tsifrah v 1970 godu, p. 186.

35/ Ts.S.U., Itogi vsesoyuznoy perepisi naseleniya 1959 goda, SSSR, svodny tom, Moscow 1972, p. 184.

521. Other official statistics also suggest that nationality had comparatively little effect on educational status: The population census of 1959 reports that 28.1 per cent of the total population over 19 years of age of that year had passed through higher or secondary education beyond the age of 14 years. The corresponding proportion for those described as "Russian" was 29.5 per cent. The highest proportion (37.5 per cent) was reported for the Latvians, and the lowest (15.5 per cent) for the Moldavians. Other nationalities evidently still suffering from a backlog of educational advantages were the Khirgiz and Tadzhiks (20 per cent) and, somewhat surprisingly, the Lithuanians (17 per cent). 36/

522. There was, however, a substantial difference between the urban and the rural population in this respect, the average proportions reported being 37.6 and 19.4 per cent, respectively. 37/

523. In the Byelorussian SSR, the minimum age of entry into university and other institutes of higher learning is 17 years, and courses last five or six years. In 1970-1971 the number of students enrolled was 192.8 thousand, while a further 235,000 were studying in medium-specialist and professional-technical institutions. In the Ukrainian SSR, the corresponding figures were 807,000 and 798,000 respectively. 38/ The provisions governing entry to higher education and students' stipends are similar in all Union Republics of the USSR.

524. In Yugoslavia, higher education is pursued in eight universities, embracing 105 faculties with courses ranging from four to six years' duration, and 229 other establishments (two-year and four-year high schools and various academies). The number of students enrolled in 1970-1971 was 256.5 thousand with annual graduations of 35,000 on average. 39/ Admissions policy is the responsibility of the educational establishments themselves on the basis of entrance examinations. Full-time students are not charged for tuition and, if at least one of their parents is in employment, receive an allowance of 40 dinars per month up to the age of 23 or 25. Particularly able students receive stipends in addition to this. These vary in size from one republic to another, and were awarded to about 16 per cent of all students in the middle 1960s (the percentage decreased rapidly to well under 10 per cent towards the end of the decade). 40/ A system of student loans out of republican funds is developing rapidly and benefited some 20 per cent of all students in 1967-1968. The obligation to repay these lapses in certain cases if the student performs well in his course. Stipends may also be awarded by the student's former school, his employing organization, the armed forces etc. In some

36/ Ibid., p. 234.

37/ Ts.S.U., Vysshee Obrazovanie v SSSR, Moscow 1961, pp. 31-32 et seq.

38/ Byelorussian and Ukrainian answers to United Nations questionnaire, 1972.

39/ Facts about Yugoslavia, Belgrade 1972, p. 90.

40/ Filipović Marijan, Higher Education in Yugoslavia, Belgrade 1971, p. 74.

cases, these are linked to an obligation on the part of the student to work on specified tasks for a number of years immediately following graduation. 41/

525. In 1968-1969 about one third of students in faculties, higher schools, and academies were studying engineering or technological subjects (including forestry, agronomy and veterinary science), while 11 per cent pursued medical or pharmaceutical studies. The proportion in the humanities and social sciences was 48 per cent. 42/

526. All socialist countries of eastern Europe make liberal provision for adult education and part-time study while at work. In the USSR, for instance, persons studying without interrupting their employment are granted - in addition to their normal leave entitlements - 20 to 30 days a year for evening courses in higher education (10 to 20 days for medium-specialist evening classes) and 30 to 40 days for correspondence courses. 43/

C. THE RIGHT OF PARENTS TO CHOOSE THE KIND OF EDUCATION
THAT SHALL BE GIVEN TO THEIR CHILDREN

527. All socialist countries of eastern Europe recognize this right and link it with the provision of career counselling services and vocational guidance. 44/ Teaching is available in the languages of national minorities, e.g., Hungarian, German, Serbian, and Slovak in Romania, nine non-national languages in Yugoslavia (including the Albanian University in Priština), and 66 languages in the USSR. Parents have the right to place their children in a school of their own native language or in one of the national language, according to their wishes; but there appears to be no provision for confessional schools or schools run by religious or voluntary associations or private individuals in the COMECON countries of eastern Europe.

528. The state school system in all the countries under review offers an educational ladder adapted to the requirements of later life within the prevailing social system to which there can be few alternatives.

41/ Information from Yugoslav Federal Institute for Educational Research, September 1972.

42/ Filipović Marijan, Higher Education in Yugoslavia, Belgrade 1971, p. 270.

43/ E/CN.4/1011/Add.3, p. 42.

44/ See, for instance, E/CN.4/1011/Add.2, p. 4, for Bulgaria, and E/CN.4/1011/Add.1, p. 54 for Poland.