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CONTENTS

Chairman: Mr. Hermod LANNUNG (Denmark).

AGENDA ITEM 31

Draft International Covenants on Human Rights (E/2573, annexes I, II and III, A/2907 and Add.1 and 2, A/2910 and Add.1 to 6, A/2929, A/3077, A/C.3/L.460, A/3149, A/C.3/L.528, A/C.3/L.532, A/C.3/L.538, A/C.3/L.540 to 543) (*continued*)

ARTICLE 6 OF THE DRAFT COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (E/2573, annex I A) (*concluded*)

1. The CHAIRMAN invited Committee members who so desired to explain their vote on article 6 of the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I A).

2. Mr. MESSADI (Tunisia) said he wished to take the occasion to explain his delegation's general position with regard to the examination of the draft Covenants. The Tunisian delegation was resolved to contribute as effectively as possible to the Committee's work; it had therefore voted in favour of the Convention on the Nationality of Married Women, the Tunisian Government having already drafted legislation on that subject. It was, however, only a few months since Tunisia had attained independence and it had not yet had the time to draw up constitutional or legislative instruments to cover all the important issues awaiting its attention. It was therefore difficult for the Tunisian delegation to take a decision on certain provisions of the draft Covenants that raised serious questions of principle. That certainly did not mean that the Tunisian Government had any reservations concerning the noble ideals inspiring the draft Covenants. He cited various economic, social and cultural measures which showed that his country intended to exploit the national resources for the benefit of the Tunisian people and which were evidence of his country's devotion to the fundamental rights of the human person. The Tunisian delegation has abstained in the vote on article 6 only because of the general reservation in principle that it was obliged to make. It would continue to participate actively in the consideration of the draft Covenants and would take a stand on all articles that dealt with issues on which the existing state of Tunisian legislation and the positions already defined by the Tunisian Government enabled it to vote.

3. Mr. GOMEZ ROBLEDO (Mexico) said that he had abstained in the vote on paragraph 2 because in free enterprise economies the State lacked the means to take the steps prescribed in that paragraph. The Mexican delegation also took the view that it was undesirable to include provisions of the statutory type in the different articles. He had voted in favour of paragraph 1 and of article 6 as a whole, the principles of which were in keeping with the provisions of the Mexican Constitution.

4. Mr. MACCHIA (Italy) said he had abstained during the final vote on article 6. That did not mean that the Italian Government disapproved of the principles set forth in that article or that it did not attach proper importance to the formulation of the draft Covenants. On the contrary, Italy had signed the Convention for the Protection of Human Rights and Fundamental Freedoms adopted by the Council of Europe and it would participate actively in the work of the Commission on Human Rights, of which it had become a member. The Italian delegation had abstained because it was of the opinion that the text of article 6 could have been improved by the Italian amendment, which was inspired by principles to which its Government was firmly attached.

5. Miss MAÑAS (Cuba) said that she had abstained in the votes on the amendments and on article 6, because, with respect to that article as to the other articles of the draft Covenant, the Cuban Government preferred the original text, which was the product of many years of work and effort. All the principles set forth in article 6 were enshrined in the Cuban Constitution.

6. Mr. HAMILTON (Australia) said that if the Committee wanted to make the provisions of the Covenant as nearly perfect as possible, it should beware of over-hasty action. For instance, in the case of conflicting opinions, the Committee should avoid proceeding automatically to a vote, for although that produced a simple and rapid solution it was too precarious a foundation upon which to establish the authority of instruments of such importance as the Covenants. The text of article 6 as adopted by the Committee was ample proof of the undesirability of such a procedure: that text did not provide a full and specific definition of the right to work; in paragraph 1 it provided for the safeguarding of a right which, according to the provisions of paragraph 2, was not yet fully in effect; matters as extensive as economic and cultural development were juxtaposed with such specialized matter as technical and vocational training. The English text as a whole was even grammatically incorrect. For those reasons, as well as those which it had set forth at the beginning of the debate, the Australian delegation had been obliged to abstain.

7. Australia, as a federal State, would be unable to assume certain of the obligations laid down in article 6 unless there were a federal clause which would enable

it to overcome the difficulties arising from its Constitution. Moreover, the word "freely" in paragraph 1 should not be the subject of certain special interpretations: for instance, it could not be construed as entitling a person who had refused employment offered by a governmental agency to claim unemployment pay.

8. Mrs. SHIPLEY (Canada) said that in her delegation's opinion paragraph 2 should have been deleted and the article limited to a statement of principle, without an enumeration of the steps for implementation, which properly belonged in article 2. Apart from that reservation, the Canadian delegation had had no objections with regard to substance. Although the Canadian Government recognized the right of everyone to gain his living by work which he freely accepted and was doing everything in its power to establish the necessary conditions for the exercise of that right, the Canadian delegation had abstained in the vote on each of the paragraphs and on the article as a whole because of the adoption of a number of amendments which it considered unsatisfactory. It had objected to the Greek amendment (A/C.3/L.536) for instance, because the result of the adoption of that amendment was that article 6 merely set forth certain aspects of the right to work and did not define it fully. It had voted against the insertion of the word "chooses", which could be interpreted as meaning that the State should give everyone the opportunity to earn his living by engaging in the activity of his choice. It has also voted against the Guatemala amendment (A/C.3/L.537), not because it minimized the importance of vocational training but because it was legitimate to wonder whether there were not other more important aspects of teaching in that field. If it was felt that emphasis should be laid on certain types of training, that could more logically be done in article 14. The Canadian delegation had voted against the addition of the words "social and cultural" to paragraph 2, because the specific mention of those words was unnecessary in a Covenant devoted to economic, social and cultural rights. Those amendments might not perhaps have prevented the Canadian delegation from voting in favour of the article as a whole but unfortunately the adoption of the Polish amendment (A/C.3/L.532, point 1) had made such a vote impossible. Article 2 imposed upon States the obligation to achieve progressively the full realization of the rights recognized in the Covenant. The Committee had decided not to vote on that article until it had considered and adopted the provisions of part III of the draft Covenant. Besides serving no useful purpose, the Polish amendment therefore ran counter to the Committee's decision. The Canadian delegation would be unable to support any of the articles in part III that were similarly amended. It had every intention of making as valuable a contribution as it could to the formulation of the draft Covenants; the Committee should take care to ensure that those instruments should be effective and that they should be acceptable to a large number of States. The Canadian delegation's abstention in the vote on article 6 was the more regrettable in that the Canadian people considered the right of work to be an essential moral principle and Canada offered the most extensive opportunities in that field.

9. Mr. GORIS (Belgium) said that he had abstained in the vote on article 6 as a whole. Belgian law afforded workers all the necessary guarantees in respect of freedom of work, choice of occupation and acceptance of remunerative work but the Belgian delegation felt that article 6 was not well drafted and was not specific. Paragraph 2 gave a list of the steps to be taken in order to give effect to the principle set forth in paragraph 1: that list was incomplete and therefore arbitrary. It seemed to entail a number of obligations for States but the obligations were by no means specific and that was a serious defect in a legal instrument. In the view of the Belgian delegation, the Covenant should include only simple and clearly formulated principles.

10. Mr. JENSEN (Norway) said that he had voted in favour of article 6 but that his delegation was not completely satisfied with the text the Committee had adopted. Norway had no difficulty in accepting the provisions of the article but entertained serious doubts regarding the consequences of the various amendments, which had drastically changed the original text. The many delegations which had not participated in drafting the Covenants should, of course, be given an opportunity to propose amendments but they should confine themselves to those that were essential. The Norwegian delegation would support only such amendments as were unquestionably an improvement; if an excessive number of amendments was proposed it would be obliged to abstain, for it did not wish to commit its Government to any obligations the significance of which it had been unable to study thoroughly.

Article 7 of the draft Convention on Economic, Social and Cultural Rights (E/2573, annex I A)

11. Mr. BOERSMA (Netherlands) stated that his delegation had always been of the opinion that in the field of human rights it was better to try to find a general text which all well-intentioned countries could support than to draft very detailed instruments acceptable to only a small number of States. In the light of that consideration the Netherlands delegation wished to make some observations and suggestions concerning article 7. The right to just and favourable conditions of work was a fundamental right; man could not be treated as a mere cog in the economic machine. The first desideratum was a concise definition of the rights of workers, leaving aside matters of detail which were within the competence of the specialized agencies. Moreover, in formulating a general guarantee, States undertook to give ever greater definition and effectiveness to the guarantees embodied in their laws.

12. The Netherlands delegation whole-heartedly endorsed the stipulations of article 7, paragraph (*a*). It also approved of paragraph (*b*), subject to the following observations: sub-paragraph (ii) was redundant, for the notion of a decent living was covered by the notion of fair wages; furthermore, the right of everyone to an adequate standard of living was affirmed in article 12. To ask States for an immediate guarantee of equal remuneration without distinction of any kind was asking too much in the existing circumstances, and the principle of non-discrimination would not be strengthened by the stipulation: "women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work." Since in many countries wages and working conditions were fixed by agreements freely arrived at between workers' and employers' representatives, legislative action and government intervention would not suffice to achieve the desired result. The words in question should accordingly be deleted. The Netherlands delegation did not desire to perpetuate a situation which was incompatible with the dignity of the human person,

but it was anxious that the Covenants should gain widespread support and thus assist in the rapid elimination of discrimination in all its forms. Furthermore, his delegation was sure that employers' and workers' representatives would continue to seek ways of eliminating the forms of discrimination referred to in article 7. It accepted paragraph (*c*) as a statement of aims which were obviously important. Those matters were already covered by several conventions adopted by the International Labour Organisation (ILO).

13. His delegation maintained the amendments it had submitted at the tenth session of the General Assembly (A/2910/Add.3).

14. Mr. DIAZ CASANUEVA (Chile) said that in drafting article 7 of the Covenant the Commission on Human Rights had endeavoured to strike a balance between the two systems in operation in different countries: the tripartite system used in countries with a liberal economy, where employers, workers and the State all took part in fixing working conditions, and the bipartite system prevailing in countries with a planned economy. In order to overcome its difficulties, the Commission had stressed some universally accepted principles which had been given concrete form in the ILO conventions. It was not for the Third Committee to supplant the ILO, whose long experience and achievements—206 conventions and recommendations ratified by many countries—carried such weight in the labour legislation field that the ILO had been dubbed "the Parliament of Labour". Furthermore, when the Committee was mapping out a future task for the ILO, it would do well to hear the views and suggestions of that agency's representatives. The function of the Committee was to transform into legal obligations the moral obligations imposed by the Universal Declaration of Human Rights, but in so doing it should not go into detail to the extent of drafting a second international labour code parallel with that constituted by the ILO conventions and recommendations.

15. Moreover, in a letter dated 9 June 1955 addressed to the Secretary-General (A/2907/Add.2), the International Labour Office had expressly recommended that the Commission on Human Rights should draft brief general clauses on matters within the competence of the ILO. The Third Committee should also abide by that recommendation. Article 7 as it stood met that condition. It merely enumerated the basic points: safe and healthy working conditions, rest and so forth. It only departed slightly from that principle in requiring equal working conditions for men and women, but such a stipulation was in order since one of the main concerns of the United Nations was to improve the legal, economic and social status of women.

16. The amendments proposed by Uruguay (A/C.3/L.540), Thailand (A/2910/Add.2) and Spain (A/C.3/L.538), on the other hand, were liable to lead the Committee into a dangerous course. To specify certain aspects such as remuneration for public holidays or regulations for dangerous work, would be to give those aspects undue prominence at the expense of others not mentioned but equally important, such as vocational rehabilitation, individual or collective labour contracts, and labour disputes. The danger of overlooking important points was inherent in any enumeration. Furthermore, those notions were already explicit in most national legal systems and, more important, were covered by exact and detailed ILO conventions. In drawing up new instruments the Committee should be careful not to weaken those already in existence.

17. When such amendments were put to the vote, delegations were obliged to vote in their favour, as had been the case with article 6, for they could not vote against the principles underlying those amendments. In such circumstances, however, the Covenant would no longer be based on a clear and simple legal foundation.

18. Paragraph (*e*) of the text proposed in the Uruguayan amendment (A/C.3/L.540) related, not to an economic and social, but to a civil, right and was accordingly out of place in the draft Covenant under consideration.

19. His delegation felt that the order in which the different points were mentioned in article 7, paragraph (*c*) of the original text (E/2573, annex I A), should be changed; working hours should come first rather than rest. The natural order would be: working hours, rest and leisure. In addition the word "reasonable" should be deleted, for it was too vague and subjective for inclusion in a legal text and was open to arbitrary interpretation. Working hours should be limited by the ILO conventions signed by States.

20. Furthermore, the Chilean delegation was not satisfied with the expression *"utilización del tiempo libre"* in the Spanish text, which did not correspond to the French expression *"loisirs"* or the English "leisure". The right to work should be supplemented by the right to rest and leisure. Indeed, some Governments endeavoured to organize leisure time by providing sports fields, clubs and other recreational facilities. Moreover, there was reason to fear that as it stood the expression might lend itself to abuse with regard to overtime work.

21. He would have preferred article 9 to be fuller and article 7 shorter and more concise. Social legislation and labour legislation were very closely linked and sometimes even merged. Stipulations concerning industrial accidents, old-age insurance and the like, which would be out of place in article 7, would be much more appropriate in article 9.

22. The Chilean delegation would not submit any amendments, because it realized that, even if they were drawn up with the best of intentions, they were always liable to distort the meaning of the article in question. It was prepared, however, to accept minimal amendments designed to improve the wording of article 7 or to secure for it the widest possible support.

23. The CHAIRMAN suggested that the time limit for amendments to article 7 should be 12 noon on 18 December.

It was so decided.

24. Mr. ABDEL-GHANI (Egypt) said that he would confine his remarks to the Uruguayan amendment (A/C.3/L.540). His delegation had no objection to the parts of the amendment which reproduced the text of article 7 and which were the least that could be expected in an article dealing with working conditions, but considered that the changes introduced in the amendment would weaken the original text.

25. For example, the reference in the Uruguayan amendment to "fair remuneration", lacked clarity whereas the text of article 7 as it stood spelled out what was meant by fair remuneration, mentioning two factors: fair wages for workers and a decent living

for them and their families. Although the Uruguayan text referred to "a decent individual and family life", it did not relate that idea to wages.

26. The Uruguayan text was also less explicit than the text of article 7 in regard to working conditions for women. Unlike the original text, it did not refer specifically to working women and stated only that there should be no distinctions based on sex. It was also more restrictive as it only provided for equal remuneration for men and women, whereas the text of article 7 guaranteed equality in respect both of remuneration and of working conditions.

27. The Uruguayan text was also more restrictive in its reference to "annual holidays with pay" as the expression "periodic holidays with pay" used in the original text covered annual holidays and also holidays at more frequent intervals. Annual holidays with pay were now the minimum in all civilized countries, and the ILO convention on the subject had been ratified by a great many States. The same comment applied to the substitution, in the Uruguayan text, of the words "weekly rest" for the more general expression "rest, leisure" in the original text.

28. The Uruguayan amendment introduced a new element in paragraph (*e*), which dealt with moral and civic conscience. That paragraph might give the impression that the only guarantees given to workers in the draft Covenant were those set forth in articles 6 to 9. Protection for the moral conscience of every person, whether a worker or not, was mentioned in other articles of the draft Covenant, as it was also in the draft Covenant on Civil and Political Rights. A provision of the kind proposed by the Uruguayan delegation would be conceivable in a covenant on the rights of workers but in a covenant on the economic and social rights of the individual such a clause was, as the Chilean representative had pointed out, out of place.

29. He associated himself with the Norwegian representative's remarks and agreed with him that delegations ought to show some restraint in submitting amendments. The Commission on Human Rights had drafted the Covenant after consulting the specialized agencies and had taken into account their suggestions as well as the conventions prepared under their auspices. In that connexion, he agreed with the Chilean representative that representatives of the specialized agencies should be invited to take part in the discussions, as had been done in the Commission on Human Rights.

30. Mr. AMATYAKUL (Thailand) drew the Committee's attention to his delegation's observations concerning article 7 (A/2910/Add.2). They were suggestions rather than formal proposals and his delegation reserved the right to submit amendments.

31. Mr. BENGTSON (Sweden) said that, while his delegation was in favour of the general terms of article 7, it could not subscribe to paragraph (*b*) (i) in its existing form as it duplicated the general non-discrimination clause in article 2, paragraph 2. The provision in article 2 should make it unnecessary to include any stipulation of the same type in any other article of the draft Covenant. He therefore proposed, as his delegation had suggested at the ninth session of the General Assembly,[1] that the text of the sub-paragraph should read: "Fair wages and equal remuneration for work of equal value." That extremely important principle had been elaborated in great detail in ILO Convention No. 100 and the Committee should not, in his delegation's opinion, try to draft a parallel convention. Its function was to support the ILO Convention by stating in general terms the principle of equal pay for equal work.

32. It should be remembered that in the highly industrialized countries wage problems were settled by negotiation between employers' and workers' organizations. In Sweden, the organizations concerned had accepted the principle of equal pay for equal work as a basis for negotiation and legislative measures were unnecessary. The State should not intervene in the negotiations; it should set an example by applying the principle itself. The Swedish Constitution contained a provision which barred any possibility of discrimination as between men and women in the matter of access to public service.

33. Article 7, paragraph (*b*) (i), as it stood, was incompatible with the complete liberty enjoyed by the parties in the Swedish labour market.

34. Mr. AHMED (Pakistan) felt that the exact meaning and scope of the right set forth in article 7 should be clarified before the amendments were considered.

35. It was important in the first place to note that "just and favourable conditions of work" presupposed the fulfilment of a number of requirements including, in particular, safety and health, which had been dealt with in a number of ILO conventions.

36. Another factor that must be considered was the right of the individual to fair wages. The difficulties involved were great, because the notion of fairness in wages was not well defined. It might reasonably be said that wages were not fair if they did not give the worker a standard of living that would enable him to take a constructive part in civic life, but then the question arose at what level wages should be fixed and what category of needs they should be able to satisfy. In his delegation's view, the right to fair wages implied that there must be sufficiency for all before there was superfluity for some. The implementation of that right was closely dependent on the solution of population problems, for steps must be taken, particularly in the under-developed countries, to ensure that population growth should go hand in hand with the improvement of levels of living. The right to fair wages could not become a reality except under certain conditions. The situation would be different depending on whether the motive force of a country's economic system was private profit or the general interest, whether or not capital was directed towards the sectors producing the most useful goods, and whether or not the authorities tried to control the entire social organization for the service of humanity.

37. Article 7 provided that men and women were to receive the same remuneration for the same work. That was a principle which Pakistan fully supported and was progressively implementing. The article also stated that workers must be able to enjoy rest and leisure. That was a wise provision, for without leisure men might have no time to think and might have no share in the intellectual heritage handed down to them.

38. Turning to the amendments to article 7, he stated that he would support the change proposed by Poland

[1] *Official Records of the General Assembly, Ninth Session, Third Committee*, 571st meeting, para. 33.

(A/C.3/L.532, point 2). He was also in favour of the amendment submitted by Spain (A/C.3/L.538). With regard to the Uruguayan amendment (A/C.3/L.540), he endorsed the principle on which paragraph (*a*) was based and supported paragraphs (*c*) and (*d*), which improved the original text. He felt, however, that the beginning of the article could be shortened without changing its substance by deleting the words "the enjoyment of" and the expression "enabling him to lead a decent individual and family life". The whole purpose of the article was to guarantee to every person a decent existence for himself and his family. He also suggested that, in paragraph (*b*), the words "A safe and healthy environment for his activity" should be replaced by the words "Safe and healthy working conditions". It seemed unnecessary to add paragraph (*e*): its usefulness would depend on the situation resulting from the implementation of articles 6 to 16 of the draft Covenant.

39. The Netherlands amendment (A/C.3/L.541) might limit the scope of article 7, which would be undesirable. He therefore reserved his position in that connexion.

40. Mr. BRENA (Uruguay) explained that the purpose of his proposal (A/C.3/L.540) was not to amend the substance of the text prepared by the Commission on Human Rights (E/2573, annex I A) but only to improve the drafting and perhaps add certain details.

41. He pointed out that his amendment was similar in character to article 7 of the Commission's draft. Like the authors of the draft he had wanted to do more than merely repeat the principles proclaimed in the Charter of the United Nations and the Universal Declaration of Human Rights but to avoid reproducing detailed provisions embodied in the International Labour Conventions. The reference to "just and favourable conditions of work" was neither too general nor too specific. The words "just and favourable" might be regarded as controversial but he had preferred to retain them in order to avoid confusion and sterile debate. His reference at the beginning of the article to conditions of work enabling every person "to lead a decent individual and family life" had not introduced a new element; he had merely used the idea expressed in paragraph (*b*) (ii) of the basic text. For drafting reasons it was better to indicate why workers should enjoy just and favourable conditions of work before the end of the article. The explanation should be given at the beginning, the more so as the individual could not be dissociated from the family for which he was responsible.

42. His delegation's object had been to rearrange the provisions of the original text in a logical order. It was natural to mention the remuneration of the worker before referring to safe and healthy working conditions. Moreover, the word "remuneration" seemed to be more appropriate than the word "wages" because it included supplementary pay received by workers for various reasons. It was also for reasons of logic that the matters referred to in article 7 (*c*) of the draft had been mentioned separately, in a slightly amended form, in paragraphs (*c*) and (*d*) of the amended text.

43. He explained, with respect to paragraph (*e*), that the Covenant contained no reference to the "moral and civic conscience" of the worker. The omission was the more regrettable because in that field independence was the worker's best safeguard. He must have the right to moral independence, that is, express his philosophic or religious ideas, to civic independence, that is, to express his political opinions, and to belong to the party of his choice. The individual, as a worker, must not be persecuted on account of his opinions. He was entitled to the protection of the State, which was bound to protect him against any pressure.

44. Replying to speakers who had commented on the Uruguayan delegation's amendments, he explained why no reference had been made to "leisure". He was afraid that in countries with planned economies, the State might be paternalistic and take steps to regulate the leisure of workers instead of merely providing them with the means of making the best use of the time they did not spend at work. Anything that might jeopardize the freedom of the worker should be eliminated.

45. He said that the word "guarantees" had been criticized because in certain States working conditions were fixed by collective agreements between workers and employers. The criticism appeared to be unjustified because the purpose of the Covenant was to create a supra-national law in the light of which national legislation could be amended. Nevertheless he would not insist on the retention of the word "guarantees" if its deletion was proposed.

46. He felt that the recognition of the principle of "equal pay for equal work" without any distinction based on sex was sufficiently clearly stated in paragraph (*a*) of his amendment and that it was unnecessary to retain paragraph (*b*) (i) of the original text. The principle of non-discrimination should, however, be affirmed in article 7; he could not agree with the Swedish representative on that point. It should be stated in general terms in article 2 and reaffirmed whenever the Covenants referred to the specific application of a right. He might be prepared to add to his text a provision recognizing the right to social security, if such a proposal were made. However he would prefer not to amend the substance of the article drafted by the Commission on Human Rights, which was what such an addition would entail.

47. Mr. MUFTI (Syria) pointed out that rule 131 of the rules of procedure of the General Assembly specified what was meant by an amendment. The text submitted by Uruguay (A/C.3/L.540) was open to criticism on that score. It did not merely "add to, delete from or revise" part of a proposal, but replaced the text under consideration by a new article. That was a radical alteration.

48. Proposals of that kind complicated the Committee's work and might cause it to lose valuable time.

49. He urged members of the Committee to observe the rules of procedure scrupulously and to refrain from submitting as amendments proposals which were in fact intended to replace the original text. His delegation would vote against any such text.

50. Mr. BRENA (Uruguay), speaking on a point of order, said that his proposal (A/C.3/L.540) was undoubtedly an amendment within the meaning of rule 131 of the rules of procedure. An amendment could be moved to all or part of a proposal but it was still an amendment.

51. Mr. RIVAS (Venezuela) drew attention to the difficulties that arose when a great many amendments were submitted to the text of a multilateral treaty. As the text would be a source of legal obligations all proposals had to be carefully studied by Governments.

52. Commenting on article 7 of the draft, which was, in his opinion, wholly acceptable, he said that paragraph (*a*) recognized the right of everyone to safe and healthy working conditions and was in that respect in accordance with Venezuelan legislation for the protection of workers. His Government followed a policy of State control and intervened in labour-management relations in the common interest. Article 60 of the Constitution contained certain provisions in regard to safety and health and article 125 of the Labour Law defined the obligations of enterprises with respect to their staff. Social security was not in effect throughout the entire country because the State had not wanted to proclaim a theoretical principle; it had wanted to ensure that it was really applied wherever it was recognized. In any event, a large part of the population already enjoyed the benefits of social security. Generally speaking, State intervention made it possible to protect the weaker members of the community. Special measures had been taken to protect the under-privileged; such action was a means of ensuring a decent life for all.

53. The authors of the draft had rightly referred to the special case of women in paragraph (*b*). Non-discrimination was an obligation under Article 13, paragraph 1 b, of the Charter of the United Nations; it was certainly not superfluous to reaffirm the principle in one of the articles of the Covenants. Moreover, implementation of the principle resulted in an improvement of levels of living which was to the advantage of all. It was hard to see why some representatives wanted to delete the reference in article 7. The principle of "equal pay for equal work" was proclaimed in article 67 of the Labour Law in force in Venezuela.

54. He felt that the provisions in paragraph (*c*) were eminently reasonable. It could not be claimed that a reference to leisure would lead to regimentation. The State could very easily provide workers with means of spending their leisure without regimenting them.

55. For those reasons his delegation would be prepared to vote for the original text of article 7, subject to certain amendments of form proposed by Chile. It reserved its position with respect to the other amendments.

The meeting rose at 6.15 p.m.

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