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COMMISSION ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

First session

SUMMARY RECORD (PARTIAL) OF THE 22nd MEETING \*/

Held at the Palais des Nations, Geneva,  
on Monday, 23 March 1987, at 2.45 p.m.

Chairman: Mr. BADAWI EL SHEIKH

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\*/ The summary record of the second part of the meeting appears as document E/C.12/1987/SR.22/Add.1.

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The meeting was called to order at 2.55 p.m.

CONSIDERATION OF REPORTS:

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Democratic People's Republic of Korea (E/1984/66/Add.7; E/1986/3/Add.5) (continued)

1. The CHAIRMAN, speaking in his personal capacity, said that the two documents under consideration gave a good account of the set of legislative texts which guaranteed, in the Democratic People's Republic of Korea, the application of the rights covered by articles 6-12 of the Covenant; document E/1986/3/Add.5 gave some details which had not hitherto been available and supplied some useful statistics. As for document E/1984/6/Add.7, it emphasized, in a very interesting way, the links that existed between education and work.
2. It was most gratifying to read, in the introduction to document E/1986/3/Add.5, that the Democratic People's Republic of Korea had been turned into a people's paradise. Nevertheless, he would like to have some details on the actual situation prevailing there since he was unable to find, in the background picture, the details that he would have liked to have had on certain points. In particular, he would like to know how the authorities had managed to reconcile planning requirements and with right of each person to choose an occupation according to his wishes. Moreover, it would be interesting to know how, by its economic and vocational training policy, the Democratic People's Republic of Korea had succeeded in practice in realizing the achievements described. It would also be useful to know the amount of the guaranteed minimum wage.
3. It was stated in document E/1984/6/Add.7 that the workers had the right to form trade unions, subject to the condition set forth in paragraph 66: it would be useful to obtain some clarification in that regard and to discover the general principles underlying the policy of the authorities in that respect. Lastly, it would have been useful to hear something about the practical difficulties encountered in ensuring the general welfare which the people currently enjoyed.
4. Mr. KONATE said that he had been pleased to read that, in the Democratic People's Republic of Korea, man was "the central point of all thinking". That was an idea which was akin to those of the great statesmen and philosophers according to which man was the measure of everything and at the beginning and the end of development.
5. He would like to know to what extent the provisions referred to in paragraph 48 of document E/1984/6/Add.7 had been put into effect and how it had been possible "to include everyone" in the action mentioned. Moreover, there were references throughout that document to the Socialist Labour Law and, since he was aware that the Democratic People's Republic of Korea was a party to the ILO conventions, he wondered what the term "socialist" added in that case and whether it simply meant that the provisions of the Covenant were embodied in the Constitution. There was a small criticism that could be made

of that report, namely that there was no reference to international co-operation which should, however, play a far from negligible role in areas as important, for instance, as agriculture and health.

6. He agreed with Mr. Mrachkov in asking for further information concerning paragraph 17 of document E/1984/6/Add.7 and would even like to know whether there was any means of appeal which would enable a dismissed person to assert his rights. Moreover, the workers' right of association was acknowledged "once they recognize the programme and rules of the Korean trade unions". That appeared to be an extremely restrictive provision. At any rate, the Committee should be informed of the contents of the said programme, to find out whether it was in keeping with the provisions of the Covenant. Furthermore, it would be interesting to know how internal democracy was guaranteed inside the trade unions. Lastly, he would like to know in what circumstances the Korean people had been able to make use of its right to self-determination in view of the fact that, some 30 years previously, two adjoining countries had begun to develop separately.

7. Mr. NENEMAN said he had noted with interest the report of the Democratic People's Republic of Korea and the statement of its representative. It appeared that, in essence, articles 6-12 of the Covenant were well respected in that country. There was no unemployment and working conditions were satisfactory there, particularly from the point of view of safety. The country had introduced a completely original system of on-the-job education, whereby workers were trained before and after working hours, an interesting formula that might, perhaps, be taken up by other countries. Moreover, social protection and protection of the family were admirably guaranteed in the Democratic People's Republic of Korea, in which children were particularly well cared for. It was, perhaps, the only country in the world in which the kindergartens took in all children of pre-school age. As for the standard of living, it seemed to be increasing regularly and medical care was dispensed free of charge even in the most remote areas of the country.

8. He would thus simply like to ask whether it would be possible to have some up-to-date statistics, those submitted in the reports not being very recent. Moreover, he would like to know to what category of workers corresponded the figure of 1.2 million intellectuals quoted in paragraph 23 of document E/1984/6/Add.7. In paragraph 37 of the same document, it was stated that the average monthly income of the working people had increased from 70 to 90 won: it would be useful to learn the price of some basic foodstuffs or other articles of prime necessity. He would also like to know what precisely was the "three-revolution red flag movement" mentioned in paragraph 69 of that document.

9. As for document E/1986/3/Add.5, he noted in the first place the remarkable increase in agricultural production, due mainly to the modernization of agricultural activities. As a result of that increase, there was no shortage of food in the Democratic People's Republic of Korea and foodstuffs were available to the population at a very low price. The problem of the supply of drinking water, which was often very acute in Asia, appeared to have been solved by the Korean authorities in a satisfactory way. Likewise, as a result of an extensive vaccination programme, there had been a remarkable fall in infant mortality and life expectancy was much higher than in the past. He noted, in particular, that except in the cases of circulatory

diseases and cancers - the incidence of which was increasing throughout the entire world - the mortality resulting from diseases had fallen in every case.

10. Mr. ALSTON said he wished to pay tribute to the Democratic People's Republic of Korea which, without being a member of the United Nations, had ratified the Covenant and had shown its willingness to hold a dialogue with the Committee.

11. The two documents under consideration gave rise to a number of basic questions: in the first place, the Committee when verifying the application of the Covenant by the States parties should rely on sources which were not only governmental but also external to the Government. In the case of the Democratic People's Republic of Korea, which was a closed society, very few sources of information were available concerning the actual situation in the country, apart from those which the Government itself supplied. In view of the fact that the documents under consideration did not contain any really significant statistics, the Committee found itself engaged in a purely formal dialogue, a series of unconnected monologues. Quite simply, it was not in a position to carry out its mandate.

12. One of the most important features of the preparation of the reports was the debate it could spark off in the country itself. However, in the current case, it did not appear that any such dialogue had taken place. He would thus like to know whether, in the Democratic People's Republic of Korea, there was an opposition movement which could express any disagreement it might have with the Government's economic and social policies. If there were none, it would seem difficult to believe that that was because unanimity reigned therein, since the absence of any dissentient point of view seemed contrary to human nature. Moreover, the Covenant itself insisted on the need for certain pluralism. A diversity of forms of expression on all economic and social questions appeared essential to any society in which human rights were respected.

13. In connection with that diversity of forms of expression, article 8 of the Covenant enshrined the right of everyone not only to join a trade union but also to form trade unions. Document E/1984/6/Add.7 said nothing about that right to form trade unions and he wondered whether it was recognized in the Democratic People's Republic of Korea and whether any attempts had been made to form trade unions and what the results of such attempts had been.

14. For a genuine public discussion to take place on the major social and economic policies of a country, whether through the press or through other media, information had to come from valid sources. It appeared that, in the Democratic People's Republic of Korea, the Government produced a large number of publications - for internal and external use - which reflected only the Government line. He would like to know whether other information - particularly statistics - was made public in the Democratic People's Republic of Korea and what the sources of such information were. In particular, he would like to know upon what data the statistics supplied in the documents under consideration were based.

15. If one of the rights covered by articles 6 to 12 of the Covenant was violated in the Democratic People's Republic of Korea, he would like to know whether there were means of appeal open to the citizens and would like to have some specific examples quoted in that regard. Likewise, he would like to know

if the State had ever been convicted of having violated one of the Covenant's provisions. If not, he would conclude therefrom not that the Democratic People's Republic of Korea was the ideal society but simply that the remedies available in the matter were probably inadequate.

16. The statistical data supplied by the representative of the Democratic People's Republic of Korea at the previous meeting were not entirely relevant in that they did not render it possible to judge to what extent the rights included in the Covenant were respected. If a country built an impressive number of canals in some region or another or enlarged the highway network in an admirable way, that might be for reasons which were connected not with development but with the country's situation with respect to its neighbours. The fact that landing strips had proliferated in certain parts of Central America had nothing to do with development.

17. It would be more useful, to assess the way in which the citizens of a country were enjoying their economic, social and cultural rights to know, for instance, the per capita GNP, that of the neighbouring countries, the proportion of military expenditure in the country's total expenditure, and any other data that might have an effect on the application of the Covenant.

18. It was indicated in document E/1984/6/Add.7 that the working day was eight hours long. Paragraph 59 specified that overtime was not allowed except in special circumstances. That information was inadequate, since it was not mentioned anywhere whether a large number of workers might be required to work overtime, for national defence reasons, for instance. It would have been useful to have statistics which proved that a vast majority of workers did not work overtime. Lastly, he would like to know whether, to obtain a significant number of posts, candidates had to obtain the prior approval of the security services.

19. In paragraph 6 of document E/1986/3/Add.5, it was stated that any citizen over the age of 17 was free to marry. He would have liked to have seen the average age of marriage quoted. He noted with satisfaction that maternity protection was a priority consideration in the Democratic People's Republic of Korea and that, in particular, maternity leave had been increased to 150 days. He wondered what the reasons behind that welcome measure might be and whether it was due to a low fertility rate.

20. It was stated in paragraph 25 of the same document that it was "inconceivable" to exploit or neglect children in the Democratic People's Republic of Korea. However, it was a recognized fact that there was no country in which the ill-treatment of children had been completely eliminated and, unless Korea was the first country to have achieved that difficult objective, it might be wondered whether the Government had provided itself with all the means of finding out to what extent that scourge existed in the country. It was also specified that the minimum working age was 16 years and that school attendance was compulsory up to that age. He would like to know, however, whether or not some children were required to work during the school holidays or after school hours. Lastly, it would be useful to know whether all young children without exception were cared for in pre-school establishments, or whether the parents were entitled to look after their children themselves if they so desired.

21. With respect to the right to food, it would be interesting to know whether the authorities had succeeded in eliminating the disparities between town and country and whether, for instance, the inhabitants of the capital had as ready access to foodstuffs as persons living in the rural areas.

The meeting was suspended at 3.40 p.m. and resumed at 4 p.m.

22. Mr. SIN (Democratic People's Republic of Korea), having thanked the members of the Committee for their questions which would enable him, by his replies, to give them a better understanding of the policy followed by the Government of the Democratic People's Republic of Korea in the area of economic, social and cultural rights, said that, since he was not an expert but only a diplomat, he might not be able to give completely satisfactory replies. The word "paradise" used in paragraph 1 of document E/1986/3/Add.5 had given rise to a number of questions. For thousands of years, the Korean people had led a wretched existence during which it had experienced feudalism, slavery and the domination of foreign colonialists. Before the country had been colonized, the vast majority of the population had consisted of small landless peasants who had to work from dawn to dusk on the estates of the great landlords, with the result that it was the dream of generations of peasants to possess their own patches of land. That was why, on the morrow of the liberation, the Government had launched an agrarian reform which had produced a steady improvement in the standard of living of the peasants, who were henceforth in a position to produce cereals in quantities adequate to feed their families. That was the way that the peasantry had acceded to the earthly paradise.

23. As for the workers who, under the Japanese domination, had toiled for 12 to 14 hours per day for a miserable wage (one third or one quarter of that received by their Japanese counterparts) which was not enough for them to feed, clothe and house themselves properly, they had become the masters of the factories and the enterprises as a result of the adoption of the law nationalizing the enterprises and of the Socialist Labour Law. By becoming the property of the State, the factories and the enterprises were henceforth the property of the people. The workers had every interest in doing their work properly since, in so doing, they increased production and thus their own standard of living. The earthly paradise of which the workers and employees spoke belonged not to the realm of religion but to that of real life.

24. As for the way in which the Democratic People's Republic of Korea reconciled the wishes of each individual worker and employment requirements, the report and the preliminary statement by the representative of the Democratic People's Republic of Korea revealed that the country was developing in the light of a unified plan applicable to all sectors of the economy and society - including education - at all levels. Education was free and compulsory for all up to the age of 16 years and was spread over a period of 11 years consisting of: one year of pre-school education in the kindergarten, four years of primary education and six years of secondary education. Moreover the Democratic People's Republic of Korea had tackled the intellectualization of society as a whole, with the idea that all members of society should receive a training at the higher education level. Consequently, the number of technicians trained each year for one industry or another was in accordance with the production forecasts fixed for that industry in the plan. On finishing his studies, a student was guaranteed employment thanks to planning. If, by any chance, he was unable to obtain the

job to which he aspired, another job was offered to him. At all events, there was an organization which considered the applications of persons who wished to change their employment, e.g. for health reasons, and did its best to give them satisfaction. Furthermore, persons seeking employment received the standard wage. Unemployment was thus unknown in the Democratic People's Republic of Korea.

25. As for the improvement in the standard of living, both cultural and material, the socialist principle of distribution meant that the income of each person was in accordance with the quality and quantity of his work, pending the time when the fruits of work would be distributed according to each person's needs, the ultimate aim. As things currently stood, a worker without experience received less wages than an experienced worker, while the worker whose production was higher than the expectations of the plan was suitably rewarded. Furthermore, the workers were encouraged to be inventive and to make innovations at the technical level.

26. Unlike what had happened under the Japanese occupation, young people were not allowed to work until they had reached the age of 16 years. Women received wages equal to those of men. Manual workers and employees had formed trade unions in all branches of the economy, trade unions that were grouped together in the General Federation of Trade Unions, which had a membership of 1,600,000 people, consisting of 35 per cent young people, 60 per cent men and 40 per cent women. The role of the trade unions in the Democratic People's Republic of Korea was somewhat different from that played by the trade unions in the Western countries. Their primary task was to educate the workers so that they could do their work properly, in their own personal interests, in the interests of the factory and in the interests of the country. The trade unions also endeavoured to improve the technical training of the workers and taught them to respect safety rules and standards. Within each factory, there was a committee of the Workers' Party which settled the problems that cropped up at the factory level and improved management and production, while speeding up the tempo of the technical revolution. No strike had ever broken out in the country and the State guaranteed the workers' right to rest. The working day was eight hours long, and the workers rested on Sundays and on public holidays.

27. In order to achieve the ultimate objective of enabling each person to work according to his wishes and to satisfy his needs, an effort had to be made in all areas. Thus, a State Central Supervisory Office monitored the application of the plan in conjunction with statistical offices in the provinces, the countries and the districts.

28. Mrs. Taya had brought up the question of marriage. The young Korean became a full citizen at the age of 16 and was allowed to marry. Custom dictated that young people wishing to marry should obtain their parents' consent, but such an agreement was not essential. The marriage ceremony was preceded by a period of engagement. Once the marriage had been celebrated, the newly-weds presented themselves to the competent organ which entered the date of the marriage on their citizenship cards. Traditionally, the family was still the basic cell of society. Parents brought up their children in that outlook and taught them what was needed to lead a pleasant life after their marriage. Similarly, young people were taught collectively how to form

a happy family. Once united, the husband and wife did their best to settle any disagreements which might arise between them. Divorces were very rare in the Democratic People's Republic of Korea.

29. Having mentioned out that there was no racial minority in his country, he said that resident foreign nationals had the same rights as Korean workers and the Socialist Labour Law was equally applicable to them.

30. Persons violating the law on the protection of the environment were liable to punishment.

31. As for higher education, in addition to the universities and the regular technical colleges, there had for some time been further training facilities in the enterprises. Thus, an iron and steel works would have a higher technical school. That method of adult education made it possible to increase the productive value and the knowledge of the population. At the end of 1984, the country had had 216 universities and regular higher colleges and 566 specialized higher education schools. He did not have exact figures for the number of factory colleges and schools, but their number was constantly increasing. At the end of 1984, the country had had 1,250,000 engineers and teaching experts, all of whom were Koreans. The country received a few foreign teachers within the framework of international co-operation. In the primary, secondary and higher educational establishments, moral instruction was given in the context of the efforts to ensure that the children worked for the future of the country and an increase in its technical level. The children were taught morality, to respect their parents and older people, to help one another and to be faithful to their native land. That was why juvenile delinquency did not exist.

32. The retirement age was fixed at 60 for men and at 55 for women. All manual workers and employees were entitled to pensions and there was a whole range of allowances to reward the most deserving workers, who could receive up to 100 per cent of their wages when they retired. However, the amount of the pension alone was enough for a comfortable life. The average monthly wage per worker had been 70 won in 1974 and 90 won in 1978.

33. In its concern to ensure adequate food for all, the State purchased rice - the population's basic food - at 60 chon per kilo and retailed it to the workers at 8 chon per kilo, which was extremely cheap. The State was able to subsidize rice in that way because as a result of planning production, and thus the gross national product, increased every year. The peasants retained a portion of the cereal crop which was sufficient for their needs during the year and sold the rest to the State.

34. With regard to public health, he said that the country currently had 18 million inhabitants. In 1982 the birth rate had been 21.9 per 1,000 inhabitants and the death rate 4.3 per 1,000 inhabitants. The natural growth in the population was 17.6 per thousand and the mean life expectancy was 74 years. The country had had 1,527 hospitals in 1980 and 1,531 in 1982, figures which revealed a slow-down in construction between 1980 and 1982 as compared with the earlier years. However, that was due to the fact that, after the war, all the hospitals had had to be rebuilt. Consequently, the number achieved in 1980 - though not sufficient - indicated a very distinct improvement.

35. One member had enquired about the method of distributing and allocating housing. That was the duty of the provincial and county Housing Offices of the People's Committees in the rural areas and of the city and district Housing Offices in the urban areas. The State planned the construction of housing in the light of many factors (quality, materials, labour, and the needs and desires of the citizens. It was the State which decided where new districts and housing units were to be built, but everybody was free to live in the city or in the country.

36. Some members had asked questions about the difficulties which the country had encountered in applying the provisions of the Covenant. They had in fact been numerous, because of the war which had left the country devastated. Thus, the State had recently had to establish a stock-breeding centre since meat production was unable to keep up with the constantly increasing demand. Other difficulties had occurred at all levels since, after the war, the country had had to start again from square one and had been able to recover only through the courage of its people. The major problems had been the lack of foreign currency, which prevented the importation of machinery, and the shortage of manpower which made national production difficult. The people had sacrificed itself for the next generation and the country had succeeded in reaching the targets of the first three-year plan before schedule and in successfully carrying out the five-year plan. Thus, for example, the country had needed tractors to give a new impetus to agriculture, but was unable to import any. At the request of the President, a workshop specializing in the manufacture of small agricultural implements had thus begun to manufacture tractors, after having dismantled the few machines available in order to reproduce each part, and that was how the country had managed to supply itself with the equipment it needed for agriculture, and similarly in other sectors.

37. With regard to the protection of the mother and child, he said that the State offered various benefits to women with children so that they could rear them better. That was the reason for the reduction in working hours for a woman with three children. The father of three children did not benefit from that measure unless he was a widower, in which case he was entitled to work only six hours so as to look after his children better. A woman with only one child also had some advantages, such as a reduction in her working hours to allow for breast-feeding, without any cut in her wages.

38. The State encouraged an increase in the birth rate and did its utmost to protect children, particularly twins and triplets. Between 1984 and 1986, 43 births of triplets had been registered. The parents received food rations, allowances and clothing and, since education was free, there was no problem in bringing up a large family in the Democratic People's Republic of Korea. Despite the wish to encourage an increase in the birth rate, family planning and contraception were available to families which, for one reason or another, wished to limit the number of children.

39. Some members had asked questions about private property. In the Democratic People's Republic of Korea, there were only the State sector and the co-operative sector but wages and all goods purchased with wages were private property while, in the country, every household possessed a 30 square metre plot of land on which it cultivated vegetables which were sold in the markets. Private enterprise did not exist, production being carried out by co-operatives.

40. In reply to a question, he said that the administrative division in the towns was called ri and, in the country dong.

41. The Democratic People's Republic of Korea set great store by international co-operation with other countries and organizations, particularly in connection with agriculture. It was also giving significant assistance to various African countries, to which it was sending agricultural experts. It had participated in the building of an agricultural research institute and in the establishment of pilot farms and various irrigation projects in Africa.

42. Just as each person had the right to choose his job, so the State guaranteed the freedom of the individual not to work. However, no citizen of the Democratic People's Republic of Korea wished to remain inactive. On the contrary, all the citizens worked and each person had the possibility of raising himself in rank, as proved by the example of a worker who had become Minister of Construction.

43. The economic development of the country entailed a number of major difficulties particularly because the country, though rich in natural resources, had not hitherto produced any oil and had to make great efforts to export enough to import the necessary oil. Nevertheless, the country was relying on its own capabilities to develop its national economy. For example, the area of cultivated land for the production of cotton being limited, polders had been reclaimed and the textile-production problem was henceforth resolved.

44. The trade unions were formed according to a democratic system and all problems were considered and resolved independently, in accordance with the factual situation in the country and in the light of geographical and demographic requirements. The three-revolution red flag movement was designed to speed up the ideological, technological and cultural revolutions. Contrary to an idea that seemed quite widespread, particularly in the Western countries, the Democratic People's Republic of Korea was not a closed society but maintained cultural, technical, commercial and other links with the socialist countries, the countries of the third world and those Western countries which respected its dignity and its reputation. It was co-operating in various ways with the developing countries and was well open to the tourist trade, as proved by the recent establishment of the General Office of Tourism. In addition, in accordance with the principles of the freedom of the press, journalists were free to report on anything affecting the economic and social situation in the country.

45. The State gave priority to the ideological education of both children and adults, within the framework of an ongoing process of instruction. In the colonialist past, some rich landlords or managers of enterprises had played a preponderant role in the country but, after the liberation, the entire people had struggled to build up a new fatherland, each contributing according to his knowledge or capacity. All members of society had since faithfully followed the policy directed by the State. Thus, all individuals, without distinction of social origin, were making an active contribution by their work to the achievement of the national objectives.

46. The CHAIRMAN thanked the representative of the Democratic People's Republic of Kampuchea for having given detailed answers to the questions asked by the members of the Committee, in a spirit of constructive dialogue. The Committee had thus completed its consideration of agenda item 6.

47. Mr. Sin (Democratic People's Republic of Kampuchea) withdrew.

The meeting was suspended at 6.10 p.m. and resumed at 6.35 p.m.

FORMULATION OF SUGGESTIONS AND RECOMMENDATIONS OF A GENERAL NATURE BASED ON THE CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES TO THE COVENANT AND BY THE SPECIALIZED AGENCIES (COUNCIL RESOLUTION 1985/17) (agenda item 7)

48. The CHAIRMAN said that, under item 7 of its agenda, the Committee had before it an unofficial document (E/C.12/1987/Misc.1), prepared by the Rapporteur at the Committee's request, which contained a summary of the recommendations concerning the continuation of the Committee's work. He invited the members of the Committee to comment on the subject.

49. Mr. SVIRIDOV asked whether it was possible to obtain detailed information on the state of progress of the submission of reports, and whether the Committee could be informed of the number of reminders sent to the States parties which had not yet submitted their reports under articles 16 and 17 of the Covenant. For the moment, it would undoubtedly be sufficient for such information to be communicated orally, without the Secretariat being required to submit a document on the subject. The Committee would thus have a clearer idea of the situation concerning the submission of reports by the States parties.

50. Mr. RATTRAY said he hoped that the Secretariat would be able to submit an up-dated document on the States parties which were behind in the submission of their reports.

51. Mr. TEXIER said he agreed with Mr. Sviridov and Mr. Rattray. In addition, he proposed that the Secretariat should draw up a list of the States which had ratified the Covenant to date, so that the Committee could duly report on the subject to the Economic and Social Council.

52. The CHAIRMAN invited the representative of the Secretary-General to inform the members of the Committee of the extent to which the States parties had been able to fulfil their obligations arising from articles 16 and 17 of the Covenant.

The summary record of the second part of the meeting appears as document E/C.12/1987/SR.22/Add.1