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SESSIONAL WORKING GROUP OF GOVERNMENTAL EXPERTS ON THE IMPLEMENTATION  
OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 5th MEETING

Held at Headquarters, New York,  
on Wednesday, 24 April 1985, at 3 p.m.

Chairman: Mr. KORDS (German Democratic Republic)

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by States parties to the Covenant concerning rights covered by articles 13 to 15  
(continued)

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The meeting was called to order at 3.25 p.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)  
BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 13 TO 15  
(continued)

Report of France (E/1982/3/Add.30 and Corr.1)

1. At the invitation of the Chairman, Mrs. Alvarez (France) took a place at the table.
2. Mrs. ALVAREZ (France), introducing her country's report, said that the right to education and culture had long been recognized in France. The Government had adopted measures to ensure equality of opportunity, permit cultural diversity, promote the full development and creativity of the individual, and encourage the participation of citizens in the democratic life of the country. The current report should be read in the light of the reports submitted by France to UNESCO, ILO and the Committee on the Elimination of Racial Discrimination; they were listed in the annex.
3. Paragraph 2 of the report listed the main instruments on the right to education, to which should be added the Act of 26 January 1984 on higher education and the Act of 25 January 1985, which supplemented the Act of 31 December 1959 on relations between the State and private educational establishments. According to the preamble of the 1946 Constitution, the establishment of free, secular, public education at all levels was a duty of the State. The 1975 Education Act stated that all children had the right to schooling, which should promote their full development, enable them to acquire a cultural background, and prepare them for working life and the discharge of their human and civic responsibilities. Those aims were in line with those mentioned in article 13 (1) of the Covenant. The Government sought to use education as a means of promoting democracy and eliminating the inequalities that might be caused by economic, cultural or social circumstances. Continuous education was considered to be of essential importance as it enabled underprivileged groups to fulfil their ambitions despite inadequate initial training. An effort was being made to modernize the entire educational system so that it might take account of the differences among students at all levels, develop in line with scientific, technical, economic and social needs, and become genuinely decentralized.
4. Primary education was compulsory and free in France. Pre-school education was also free. It was available to all children aged four and five, and to 91 per cent of three-year-olds. Various measures had been adopted to provide primary education to the handicapped and to the children of non-French-speaking immigrants, so that they might have the same opportunities as other pupils. In the case of the latter group of children, their knowledge of French was brought up to standard, their cultural diversity was taken into account, their own languages were taught, and instruction about their cultures was provided. Major curriculum reform was under way with a view to improving children's written and oral expression, integrating

(Mrs. Alvarez, France)

scientific and technical culture into general culture, and according civic education its due place in the development of future citizens.

5. School attendance was compulsory up to the age of 16. Instruction had been free for many years and was uniform for all students, who were grouped indiscriminately in classes. A more rational balance had been struck between intellectual, artistic, manual and sports disciplines, special teaching assistance was provided to children experiencing difficulties at school, and "priority areas of education" had been established to tailor teaching methods more closely to existing needs (paras. 14-17). An attempt was also being made to modernize the collèges.

6. The second cycle of secondary education was generally open to all strata of the population. The policy was to ensure that a greater proportion of students stayed at school up to the baccalauréate level, and to promote technical and vocational education. To achieve those objectives, it was essential that irreversible options should not be introduced at too early a stage and that difficulties in general education should not be made a criterion for opting for technical and vocational education. Technical culture had to become a fully fledged element of general culture, vocational training had to be geared to satisfactory employment, the long technical second cycle had to be developed, and account had to be taken of economic changes and technological developments.

7. Higher education was virtually free and was open to all according to their abilities and the various requirements for the type of training chosen. The Act of 26 January 1984 attempted to make higher education even more widely accessible, promote vocational training and develop research within educational institutions. The Act defined the tasks of those institutions as initial and continued training, scientific and technical research and the application of the fruits of that research, the propagation of culture and scientific and technical information, and international co-operation.

8. Assistance was provided to the families of schoolchildren and students according to their means. National, departmental or local grants could be awarded to secondary-school pupils, while, in the collèges, textbooks were lent free of charge; the most underprivileged families were given grants to cover the costs of other school supplies. Students in higher education were assisted both directly and indirectly, and grants were also awarded to foreign students wishing to study in France.

9. Education could be provided, outside the State schools, in private establishments or in the home. The State provided financial assistance for private education, in accordance with a number of legislative instruments, the most recent of which was the Act of 25 January 1985. Public education was secular, but children could be given religious education if the parents so wished. The question of the freedom to establish and direct private educational establishments was discussed in paragraphs 86 to 89 of the report.

(Mrs. Alvarez, France)

10. Freedom of opinion, the right to rest and to leisure, and equal access to culture were recognized in France. The main objectives of French cultural policy were: the decentralization of cultural activities; the preservation of the French cultural heritage; assistance to creative endeavours; the propagation of French art and culture abroad; access to the culture and artists of the world; and broader participation in cultural life. The report reflected her Government's efforts to promote and popularize literature, the plastic arts, the theatre and music. Many architectural and urbanization schemes were being implemented with the double objective of creating cultural centres and bringing new life to urban and suburban areas.

11. The public radio and television broadcasting services respected the principles enshrined in article 2 of the Act of 29 July 1982, referred to in paragraph 137 of the report. That Act had also extended audio-visual communication to the private sector, a major innovation. In addition, the State monopoly had been broken in various specific communication services, such as radio and television cable networks. More than 1,000 private local radio stations, both non-profit-making and commercial, had now been authorized to broadcast.

12. France's international cultural policy, described in paragraphs 139 to 152 of the report, had as its goals the dissemination of French culture, language and art abroad, and the promotion of international cultural exchanges. Foreign authors and performers had been invited to France, and foreign cultural events had met with an enthusiastic response.

13. Paragraphs 153 to 156 of the report described the provisions governing the right to enjoy the benefits of scientific progress and its applications, the public research bodies that had been established, and the direct and indirect assistance that had been provided to encourage the considerable amount of research work undertaken by industrial enterprises. The direction being followed in the area of French research policy was described in paragraph 185 of the report. The environment was one area in which the authorities were endeavouring to ensure that scientific progress had beneficial results. Environmental protection was a major State objective. The relevant legal instruments and French environmental policy were outlined in paragraphs 166 to 175 of the report. The information given in paragraphs 192 to 202 on French policy concerning scientific co-operation with both the developed and the developing countries was obviously not exhaustive.

14. Referring to the protection of the moral and material interests of authors, she said that in addition to the relevant instruments listed in the report (paras. 203-206), the National Assembly had recently adopted legislation that provided for the modification of the Act of 11 March 1957 on literary and artistic property. The new legislation had three principal objectives: to update the copyright provisions in the light of new audio-visual techniques, to establish new rights for persons associated with the creative process, and to restore the economic balance, which new methods of disseminating artistic works had upset, by introducing a fair system of compensation.

15. Mr. ALBORNOZ (Ecuador) said that the report (E/1982/3/Add.30 and Corr.1) was a very worthwhile document, especially in its cultural aspects. He would like to have more information on the extent to which cinematographic material was used in schools, about provisions for the publication in France of works written in other languages, and about the public's exposure to foreign literature translated into French.

16. Mr. BEN-HAMIDA (Tunisia) congratulated the French Government on its report. He wished to concentrate on issues related to the interaction between cultures and civilizations, and the right to differ. France was a cultural centre for the entire world and home to a great number of foreigners. He wondered whether the representative of France could give more details concerning the policy adopted with regard to the elimination of racial, linguistic and cultural discrimination. While he appreciated the considerable efforts to improve living and housing conditions for foreigners in France, he believed that more could be done, especially in order to eliminate differences in treatment between the various groups of foreigners living in France. The Act of 1 July 1972 on anti-racism was obviously a very important text, and he would like to have details as to its content and the results achieved by its implementation.

17. He inquired whether statistics were available regarding the initiation courses for non-French-speaking children of immigrants, referred to in paragraph 7 of the report. Were there schools for such children and, if so, how were they organized? He would appreciate clarification of the rules governing assistance to immigrants in the area of education.

18. The efforts of the French Government to establish greater co-operation between all peoples for the benefit of mankind were praiseworthy and clearly showed its willingness to lay the foundations for equitable and mutually beneficial international relations.

19. Mrs. JIMENEZ BUTRAGUENO (Spain) said that she wished to have more information about pre-school education in France because nurseries and day-care centres were necessary for working women. She also wished to know more about the training referred to in paragraph 27 of the report (E/1982/3/Add.30 and Corr.1). She was surprised to see the reference to family consent in paragraph 28 because she believed that the choice of classes should be left to the students themselves, not to parents. The report was not clear about the level at which vocational guidance was provided.

20. She wished to have some clarification about the public service scholarships referred to in paragraph 66 (c), the upgrading of cultural employment referred to in paragraph 99 (d) and the one-per-cent formula referred to in paragraph 118.

21. It appeared that French children were taught from the primary level to be good citizens and to respect others. She noted that there were many activities aimed at training women in non-traditional areas, and she wondered how those programmes were carried out.

22. Mr. AIDARA (Senegal) said that one basic element that emerged from the French report was that the authorities were constantly seeking to update legislation on education and culture. That showed that the French policy was not static, but dynamic and responsive to the times. He was also gratified to note that the authorities were attempting to inculcate even in young children a highly developed sense of civic responsibility. He noted from paragraphs 5 and 6 that primary education was compulsory and that each commune was obliged to maintain a primary school. He wondered whether each commune was also obliged to maintain a lycée. He wished to commend France for the provision of primary education to deprived groups of children.

23. The French educational system was comprehensive, unified and flexible enough to adapt to changing times. He wished to know more about the system of special assistance referred to in paragraphs 16 to 18. He wondered whether parents were involved in the process. He also wondered whether the CPA classes referred to in paragraph 27 were compulsory and what the relationship was between those classes and vocational training in general.

24. With respect to higher education, he asked whether the preparatory studies referred to in paragraph 36 (a) were integrated into the normal curriculum of the lycées. He wished to know which body was in charge of the selection process for admission to universities. Did it come under the Ministry of Education, was it an integral part of the university in question, and did the membership include students? He also wished to know what the generally accepted criteria were for granting the scholarships referred to in paragraph 57. Paragraph 69 referred to loans to students. Since it was not the intention of the State to make a profit, he wondered why the funds were not provided in the form of outright grants.

25. With respect to article 15 of the Covenant, he believed that if a culture was to be rich it must be open to the contribution of other cultures and strive to enrich itself by accepting the right to be different. In that connection, he wondered whether the French Government took into account expressions of popular culture.

26. He wished to know how the French Government intended to promote scientific research and technological innovation for the advancement of developing countries, as referred to in paragraph 185 (a). He also wished to know how France envisaged the promotion of French as a scientific language throughout the world. Other languages, especially English, had surpassed French in areas such as science and technology, and even in diplomacy.

27. He asked whether the policy of protection of nature, referred to in paragraphs 170 to 175, fell within the context of the educational system and whether that policy might not be better promoted through efforts to make people more aware of the dangers to the environment and of the need to protect nature.

28. He regretted that the report did not provide statistics in connection with the various stages of education in France. In addition, there was no information on the various age-groups in the system. He asked whether the French educational system took into account the specific nature of social and economic factors in the overseas departments.

(Mr. Aidara, Senegal)

29. He wished to know what percentage of the population could neither read nor write French. He wondered whether the fact that the report omitted such information meant that there was a 100 per cent literacy rate in France.

30. Mr. POERSCHKE (German Democratic Republic) said that the report (E/1982/3/Add.30 and Corr.1) and its introduction by the representative of France indicated clearly the steps which had been taken by France to implement articles 13 to 15 of the Covenant. The preamble to the Constitution of 1958 had stipulated equal access of children and adults to education, vocational training and culture, and had proclaimed that the establishment of free, secular, public education at all levels was a duty of the State. Such action was in complete conformity with article 13 of the Covenant. Racism, colonialism and apartheid continued, however, to be major world problems. In that connection, he would like to know what was being done in French schools to support the world-wide struggle against neo-nazism. Would there be any special events in schools to celebrate the fortieth anniversary of the victory over nazism?

31. Referring to paragraph 8 of the report, he asked whether young children could receive primary education free of charge if they attended private rather than public schools, bearing in mind that the State provided support for private education. On the issue of special teaching assistance, referred to in paragraph 16, he would welcome information on what France's practical experience had been and, in particular, on the reasons why one hour per week of special assistance was made available only to the sixth and fifth classes. What was the proportion between male and female students in the figures for student enrolments for 1980/81 given in paragraph 38? What was the actual amount of the small enrolment fee mentioned in paragraph 40? He would also welcome more information regarding assistance based on social criteria (para. 42 (b)). How many students obtained such assistance and what criteria were used for determining family resources?

32. It was reported in paragraph 55 that scholarships were awarded for both public and private education; were such scholarships allocated on the same basis for both categories or was there a difference? According to paragraph 65, a student receiving a scholarship could receive remuneration or an allowance concurrently with a scholarship, but that privilege might be limited. How were such limits determined? He would also welcome more detailed information on how the French educational system provided for the different social customs of the various minorities in the country.

33. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that the efforts to promote the right to education and the Act of 1 July 1972 on anti-racism were indicative of the positive steps which France had taken to implement articles 13 to 15 of the Covenant. He hoped that future reports would contain additional statistical data which would illustrate the thrust of government efforts to solve problems relating to the implementation of the Covenant. Indeed such data should be provided in all country reports.

(Mr. Yakovlev, USSR)

34. Free, secular, public education was regarded as a constitutional duty of the State. A similar approach to education was also applied in many other countries. The private element in education was unjustified. The experience of France emphasized the advantages of the public, secular system. He would welcome additional information on the relationship between public and private schools and on France's experience in that regard. There were references to the provision of financial assistance to private schools, particularly in paragraph 76 of the report (E/1982/3/Add.30 and Corr.1). Did not such assistance in effect convert the private schools into State institutions? The difference between the two systems was not always clear.

35. The conditions for the establishment of private educational institutions were set out in paragraphs 87 and 88. It would seem from paragraph 88 that decisions on applications to establish such institutions were made by State bodies; on what basis did such bodies reach their decisions? He would also like to know whether strict criteria existed for the control of private educational institutions. Information should be provided on the social structure of the student body at the higher levels and on the different nationalities represented.

36. According to paragraph 106, the State was making a special effort to reach hitherto neglected social groups. He would welcome additional information on the nature of that special effort. He would also appreciate information on the preservation of the cultural traditions of minorities and on whether they received equal treatment with regard to instruction in their own languages. What possibilities existed in France for the training of teachers to provide instruction in minority languages? Were textbooks in such languages available?

37. Mr. BENDIX (Denmark) welcomed what was stated in paragraph 99 regarding the right to differ. He approved the role given to private educational establishments, even though the majority of schools were public and secular in nature. Such an approach was fully consistent with article 13 (3) of the Covenant.

38. He would like to have information on the extent to which private educational establishments were financed by the State. It seemed that the teachers in both systems received the same pay, but it would be interesting to learn about the situation in regard to such items as teaching materials and buildings. What share of the total running costs of the private establishments was financed by the State and what was the ratio between total State expenditure on private schools and expenditure on public schools? Was that ratio changing and, if so, in what direction? In connection with paragraphs 45 and 46, what percentage of the total national budget was represented by the education budget?

39. Paragraph 60 indicated that the rector was in a position of considerable power with regard to the approval or rejection of applications for national scholarships. Had any thought been given to changing that system in view of the possibilities which it offered for abuse of power?



(Mr. Bendix, Denmark)

40. With reference to paragraph 71, he would welcome information on the weekly hours of teachers and on whether there were limits on consecutive periods of work. Were there statistics on the number of pupils in classes in both private and public schools?

41. France had a substantial population of immigrants and refugees. He would like to have more information on the education of those groups, not only in respect of languages, but also in respect of such items as news programmes which would enable them to become more closely integrated into French society.

42. He had read with great pleasure the part of the report dealing with article 15 of the Covenant. In that connection, he would welcome information on how, and for how long, the members of the high authority for audio-visual communication, mentioned in paragraph 138, were appointed.

43. In connection with action taken by the State for environmental protection, he would like to know what principle was applied in allocating the cost of environmental-impact statements. Could a project be delayed or cancelled for environmental reasons?

44. What had French experience been in regard to the extensive and often illegitimate photocopying of educational materials, and how were the rights of authors protected?

45. It would seem from the report that a heavy responsibility rested with children in France and that they had little leisure time.

46. Mr. IIYAMA (Japan) and Mr. DE ALBA (Mexico) thanked the representative of France for the excellent report and introduction, and offered their congratulations on the country's record in implementing the provisions of the Covenant.

47. Mrs. ALVAREZ (France) thanked the members of the Working Group for their many detailed comments, which clearly demonstrated the attention which they had paid to the report. She would reply at a subsequent meeting.

48. Ms. KIMBALL (Secretary of the Working Group) said that she had been asked by the Mission of Mexico to inform the Working Group that on Friday, 19 April, it had received from Mexico an additional 69-page report in Spanish, which the Government wished to present at the same time as the report under articles 6 to 9 of the Covenant (E/1984/6/Add.2). That report was scheduled to be considered by the Working Group on Tuesday, 30 April. The Secretariat wished to inform the Working Group that, because of the late submission of the supplementary report, it would not be possible to process it in time for consideration at the current session.

49. Following a procedural discussion in which Mr. DE ALBA (Mexico), Mrs. ALVAREZ (France), Mr. BENDIX (Denmark) and Mr. YAKOVLEV (Union of Soviet Socialist Republics) took part, the CHAIRMAN said that, if there was no objection, he would take it that the Working Group agreed to amend its programme of work by deleting

(The Chairman)

the reference to the report of Mexico (E/1984/6/Add.2) from page 2 of document E/1985/WG.1/L.1, on the understanding that it would be considered in 1986 together with the supplementary report.

50. It was so decided.

The meeting rose at 6.30 p.m.