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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 13th MEETING

Held at Headquarters, New York,
on Wednesday, 25 April 1984, at 10.30 a.m.

Chairman: Mrs. KUROKOCHI (Japan)

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Consideration of reports submitted in accordance with Council resolution 1988 (LX)
by States parties to the Covenant concerning rights covered by articles 6 to 9
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The meeting was called to order at 11.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)
BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 6 TO 9
(continued)

Report of the Byelorussian Soviet Socialist Republic (E/1984/7/Add.8)

1. At the invitation of the Chairman, Mr. Peshkov (Byelorussian Soviet Socialist Republic) took a place at the table.
2. Mr. PESHKOV (Byelorussian Soviet Socialist Republic) said that his country had implemented a wide range of economic and social measures to ensure that its citizens could exercise the right to work. Since the report covered the period up to 1982, he would supplement it with recent statistics and commentary on new legislation. During 1983, the national income had increased by 7 per cent. Taking into account the amount allocated to consumption and expenditure on the construction of housing and of social and cultural amenities, four fifths of the national income had been spent directly on the welfare of the people. During the year, industrial production had grown by 4.9 per cent and labour productivity by 3.8 per cent. In agriculture, gross output had risen by 9.4 per cent and productivity had been greatly enhanced. The number of manual and non-manual workers had risen by 15,000 to 4.2 million. As in previous years, the entire able-bodied population had been employed.
3. In 1983, real incomes had increased by 4 per cent, payments to kolkhoz workers by 12 per cent, and payments and privileges provided out of the social consumption funds by 3.8 per cent.
4. As an example of the viability of socialist democracy, he said that over 3.8 million workers had participated in a discussion of the Law on Work Collectives, which was described in the section of the report dealing with article 7 of the Covenant.
5. Secondary-school education was compulsory and was supplemented by vocational guidance and the acquisition by students of work skills at the place of work and in specialized classrooms to enable them to make a more informed choice of their future profession. An educational reform approved by the entire population in country-wide discussions had been instituted with a view to raising the quality of education and making it easier to reconcile the interests of young people with those of society as a whole.
6. In conclusion, he outlined the main features and objectives of the trade unions, as described in the section of the report dealing with article 8 of the Covenant.
7. Mr. KORDS (German Democratic Republic) said that the report of the Byelorussian SSR (E/1984/7/Add.8) showed that that country was doing everything possible to implement the Covenant.

(Mr. Kords, German
Democratic Republic)

8. With respect to the right to work, paragraph 4 of the corresponding section of the report showed that the eleventh five-year plan took into account the effect of the change in the demographic situation on the labour market. He would like to have more information in that regard and an explanation of the relationship between the State plan and the sectoral and the regional plans.

9. He wondered whether the system of vocational guidance referred to in paragraph 9 of the same section began at the secondary-school level and whether there was any relationship between students and enterprises with a view to providing jobs to the former when they left school.

10. Paragraph 25 of that section stated that approximately 30 to 50 per cent of workers now found jobs with the help of the job placement bureau. He wondered whether that referred to workers entering the labour force or to people who wished to change jobs.

11. With respect to article 7 of the Covenant, paragraph 14 referred to occupational safety standards and he wondered what the reasons were for the preparation of those standards and whether they took into account new scientific and technological developments.

12. Mrs. JIMENEZ BUTRAGUEÑO (Spain), referring to paragraph 2 of the introduction, asked for more information on the activities undertaken to enhance social homogeneity and to eliminate the distinctions between town and country and between workers engaged in intellectual and physical labour.

13. With respect to article 6 of the Covenant, she wondered whether the incentives referred to in paragraph 27 meant that pensioners had the option of accepting the incentives to continue working without losing their pensions.

14. The tables in paragraph 29 seemed to show that women comprised a higher proportion of the labour force and she wondered whether that was because women comprised a higher proportion of the total population. She was also surprised to see that women also constituted a higher proportion of those who had received a higher education.

15. With respect to article 9 of the Covenant, she asked whether there was a separate system of social security for industrial and for agricultural workers respectively.

16. Mr. TEXIER (France) said that the reports of the USSR, the Byelorussian SSR and the Ukrainian SSR all seemed to refer to the same legislation. The report of the Byelorussian SSR repeated several points that had been raised in connection with that of the USSR, for example, the information in paragraph 5 of the introduction about the Law on Work Collectives.

17. Many of the questions which arose had already been answered during the discussion of the report of the USSR. He believed that all States with some sort

(Mr. Texier, France)

of federal structure, as was the case with the three Soviet States, should submit a single report in order to spare the time of the Working Group. For example, Canada was a federal State and had submitted one report covering the entire country.

18. Finally, reports submitted by countries such as Spain and the Netherlands had not failed to hide the shortcomings in their systems. There was no such section in the reports from the three Soviet States. Those reports merely stated that all went well and there was full employment and no problems. He wondered whether the adverse world economic situation stopped at the borders of the Soviet Union.

19. Mr. MITREV (Bulgaria) said that he agreed with the expert from the German Democratic Republic that the report of the Byelorussian SSR gave a full account of the efforts of that country to implement the Covenant. In addition, it provided excellent statistics which, however, might better have been annexed to the report.

20. He noted the significance of the Law on Work Collectives, which was a new stage in the development of labour and economic relations that could serve as a worthwhile example to other countries.

21. With respect to the right to work, he was greatly impressed with the features of the eleventh five-year plan, which would ensure the right to work for all.

22. Of course there were common factors in the reports of the USSR, the Byelorussian SSR and the Ukrainian SSR. However, they were separate parties to the Covenant and he believed that all had the right to report separately to the Working Group.

23. With respect to the job placement bureaux referred to in paragraph 22 of the section on the right to work, he would like to know the average time that it took for those bureaux to place individuals in jobs. The data in paragraph 29 reflected the situation with respect to the employment of women, who comprised a majority in the Byelorussian SSR as a result of the Second World War. He noted with satisfaction that women comprised a higher percentage of the skilled workers and wondered whether there were any special procedures for admission to higher education.

24. With respect to article 7 of the Covenant, paragraph 10 spoke of facilities to help women successfully to combine work with their duties as mothers; he wished to know whether the average monthly pay that they continued to receive while on leave was allocated from a special fund.

25. Concerning article 9 of the Covenant, he wished to know more about the various types of social security and social insurance plans and the category of workers covered.

26. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that the report of the Byelorussian SSR and the statement by its representative showed that that country was one of those that was meeting its obligations under the Covenant and was

(Mr. Yakovlev, USSR)

submitting timely reports to the Working Group. There were other States that did not carry out their obligations and did not provide information to the Working Group; he believed that the Working Group had a duty to express its concern and to make recommendations to correct that situation.

27. Regarding a matter raised by the expert from France, he said that a comparison could not be drawn between Canada and the Soviet Union as far as their federal nature was concerned. The Constitution of the Soviet Union and subsequent legislation provided for the existence of sovereign republics, which were free to leave the federation; no other federation accorded its constituent entities that right.

28. With regard specifically to the Byelorussian SSR, he said that that country had its own constitution and system of government and had contributed to the establishment of the United Nations through the sacrifices of its people to eradicate fascism. The presence of a representative of the Byelorussian SSR in the Working Group was entirely justified, and that country continued to play a valuable role in the United Nations.

29. The situation in Canada with regard to the implementation of some provisions of the Covenant was far from ideal. The mere fact that parts of the report of the Soviet Union were echoed in the reports of other States was not a negative element. In fact, such a situation was preferable to the efforts of some reporting States, including Canada, to hide behind statistics.

30. An essential feature of a socialist State was that it guaranteed all its citizens the right to life and to work, and the State often made great sacrifices to accomplish that objective. Japan, although a capitalist country, had managed to keep unemployment at a very low level, whereas Canada had an unemployment rate approximately six times that of Japan. Many countries could benefit from the example of socialist States.

31. The CHAIRMAN, speaking as the expert from Denmark, said that, as had been noted with regard to other reports, it would have facilitated an understanding of the rest of the report of the Byelorussian SSR (E/1984/7/Add.8) to have had figures relating to the national population and its distribution in cities and rural areas. With regard to the section of the report dealing with article 6, on the right to work, he wondered why, in view of the amount of vocational guidance and training provided early in secondary schools, approximately 30 to 50 per cent of workers found jobs with the help of job placement bureaux (para. 25). He wondered whether the percentages referred to persons seeking to change jobs. The statistics in the report would have been more useful had they been related to a particular point of departure. That applied, for example, to the statistics in paragraph 20 in the section on article 6.

32. He was puzzled by the indication in the table in paragraph 29 (b) of that section that the number of women manual and non-manual workers had increased between 1975 and 1981, whereas the percentage of women had remained the same.

(The Chairman)

Similarly, in the table in paragraph 29 (c), the total number of women specialists with a higher education had increased substantially between 1975 and 1981, but the percentage increases shown were very low. He would appreciate an explanation of those discrepancies.

33. With regard to the discussion of article 7, concerning the right to just and favourable conditions of work, he wished to know the total number of days' leave accorded to the workers mentioned in paragraph 2. As to paragraph 5, he wished to know what the minimum working age was. Concerning paragraph 10 on working mothers, he would welcome a description of the experience gained thus far, particularly, whether a great deal of interest had been shown in the type of additional training provided. With regard to paragraph 16, he wished to know what the sanctions were for failure to ensure observance of the safety standards mentioned and what workers could do when an enterprise did not live up to its obligations. He would appreciate assistance in interpreting the statistics provided in the second sentence of paragraph 19, the second sentence of paragraph 20 and the last sentence of paragraph 30. Lastly, with regard to the discussion of article 9, concerning the right to social security, he wished to know what the expenditure had been for social security and social insurance in 1981.

34. Mr. Peshkov (Byelorussian Soviet Socialist Republic) withdrew.

Report of the Ukrainian Soviet Socialist Republic (E/1984/7/Add.9)

35. At the invitation of the Chairman, Mr. Borchak (Ukrainian Soviet Socialist Republic) took a place at the table.

36. Mr. BOURCHAK (Ukrainian Soviet Socialist Republic) said that in the three years since the first report had been submitted, social production had increased by over 10 per cent and national income by 12.6 per cent. A total of 53.5 million square metres of housing space had been added, benefiting 4.5 million people. Real incomes had grown by over 8 per cent and the remuneration of manual and non-manual workers and those of collective farm workers had risen by 7 and 15.5 per cent, respectively. Payments and privileges from the social consumption funds had increased by 15 per cent: in 1983 alone, the population had received about 24 billion roubles from those funds. Culture, health care and education had been further developed.

37. A new housing code which had entered into force on 1 January 1984 was intended to ensure equitable distribution by establishing low, stable, State-controlled housing costs. On 21 December 1983, a law had been adopted for the purpose of giving all manual and non-manual workers the opportunity to raise their educational level and improve their qualifications while remaining on the job, suffering no reduction in pay and even receiving additional time off.

38. A new educational reform meant to improve compliance with article 6 (2) of the Covenant was aimed at promoting the acquisition of work skills and furnishing professional guidance in the general educational system, enhancing the polytechnical aspects of the instruction and facilitating a transition to vocational and technical training for all young people.

(Mr. Bourchak, Ukrainian SSR)

39. The latest statistics clearly revealed a rise in the employment level. Paragraph 39 traced the growth in the number of manual and non-manual workers from 1970 to 1981: by 1983, that number had risen to 20.5 million. Paragraph 47 analysed the educational background of specialists entering the economy in 1982; in 1983, 151,000 specialists had had a higher education, 232,000 had had a secondary-school education and 450,000 had received vocational and technical training. Paragraphs 57 and 59 referred to the goals for increases in the average earnings of manual, non-manual and collective-farm workers and in grants and benefits from social consumption funds. Paragraphs 74 and 75 contained statistics on the mechanization and automation of production processes, the improvement of working conditions and the reduction of industrial accidents. As a result of the introduction of advanced technology, the improvement of safety devices, and the institution of better controls, industrial accidents had been reduced by 28 per cent from 1975 to 1983.

40. Supplementing the information contained in paragraphs 103 and 106, he said that in 1983, the number of spaces in sanatoria, leisure centres, holiday hotels and vacation areas had increased by 11,000, and 11 million workers and their families had stayed or received treatment at such facilities. Thirty-nine million people had taken part in excursions and 5 million children and adolescents had spent time in summer camps or colonies.

41. He drew attention not only to legislation that had been adopted but also to draft legislation that was related to his country's implementation of the Covenant. Although violations of labour laws, the right to work of citizens and safety regulations and obstruction of the legitimate activities of trade unions were in general criminal offences, there were some violations which were not in that category but for which administrators and other officials bore material responsibility. A code of administrative violations which was currently being prepared would include a chapter on responsibility for violations of labour-safety standards.

42. Mr. MITREV (Bulgaria) welcomed the additional information provided in the introductory statement by the representative of the Ukrainian SSR. As was the case for a number of reports, statistical data should be presented at the end of the report in the form of an annex. The report showed that social, economic and cultural rights were being guaranteed in the Ukrainian SSR even more fully than was envisaged in the Covenant.

43. The statement in paragraph 12 to the effect that no major production or social question could be settled without the direct participation of the manual and non-manual workers was of great significance for the future development of labour relations; it reflected the considerable experience acquired by the Soviet Union, the Byelorussian SSR and the Ukrainian SSR in resolving problems of labour relations.

44. He wished to know what legitimate grounds other than those mentioned in paragraph 20 could serve as a basis for annulment of a contract of employment by

(Mr. Mitrev, Bulgaria)

workers. With regard to paragraph 22, he inquired as to the source of funds used to pay an unlawfully dismissed worker for his period of enforced idleness. He wished to know what disciplinary penalties were envisaged by paragraph 32. He also wondered whether the State or the enterprise concerned financed the vocational training and advanced training programmes described in paragraph 42.

45. He would appreciate further information on the manner in which labour legislation was supervised (paras. 69-72). In that connection, he wondered what recourse procedures were available to a worker who considered that his rights had been violated. Lastly, he said that he had been very impressed with the data cited in paragraphs 103 and 104 of the report regarding leisure and health-care facilities for workers.

The meeting rose at 1.10 p.m.