

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/1978/8/Add.16
10 April 1978
ENGLISH
ORIGINAL: RUSSIAN

First regular session, 1978
Agenda item 5. Implementation of the International
Covenant on Economic, Social and Cultural Rights

REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX)
BY STATES PARTIES TO THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS CONCERNING RIGHTS COVERED BY ARTICLES 6 TO 9

UNION OF SOVIET SOCIALIST REPUBLICS

17 April 1978

The Soviet Union ratified the International Covenant on Economic, Social and Cultural Rights in 1973, thus becoming the first of the great Powers to express in that way its willingness to assume the obligations set out in the Covenant. It should be noted in particular that neither the ratification of the Covenant by the Soviet Union nor its entry into force on 3 January 1976 required any changes in or additions to Soviet legislation.

Since the entry into force of the International Covenant on Economic, Social and Cultural Rights, a major event has occurred in the life of the peoples of the USSR, marking a new historical stage in the development of socialist democracy and in the process of perfecting Soviet law - the adoption of the new Constitution of the USSR, whose author was the entire Soviet people.

The new Constitution of the USSR consolidates the foundations of the political and economic system of mature socialism; it makes manifest the humanistic content of the socialist way of life that has developed in the USSR as well as the ideological and moral values that characterize Soviet working people.

The preamble of the Constitution of the USSR states as follows:

"In the USSR a developed socialist society has been built. At this stage, when socialism is developing on its own foundations, the creative forces of the new system and the advantages of the socialist way of life are becoming increasingly evident, and the working people are more and more widely enjoying the fruits of their great revolutionary gains.

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"It is a society in which powerful productive forces and progressive science and culture have been created, in which the well-being of the people is constantly rising, and more and more favourable conditions are being provided for the all-round development of the individual.

"It is a society of mature socialist social relations, in which, on the basis of the drawing together of all classes and social strata and of the juridical and factual equality of all its nations and nationalities and their fraternal co-operation, a new historical community of people has been formed - the Soviet people.

"It is a society of higher organizational capacity, ideological commitment, and consciousness of the working people, who are patriots and internationalists.

"It is a society in which the law of life is concern of all for the good of each and concern of each for the good of all.

"It is a society of true democracy, the political system of which ensures effective management of all public affairs, ever more active participation of the working people in public life, and the combining of citizens' real rights and freedoms with their obligations and responsibility to society."

The new Constitution of the USSR also defines the essential characteristics of the economic system of a socialist society. It reflects the special features of production relations characteristic of the stage of developed socialism. Article 10 of the Constitution of the USSR states as follows:

"The foundation of the economic system of the USSR is socialist ownership of the means of production in the form of State property (belonging to all the people) and collective-farm and co-operative property.

"Socialist ownership also embraces the property of trade unions and other public organizations which they require to carry out their purposes under their rules.

"The State protects socialist property and provides conditions for its growth.

"No one has the right to use socialist property for personal gain or other selfish ends."

In addition to State property, which is defined in article 11 of the Constitution of the USSR as "the common property of the Soviet people" and "the principal form of socialist property", and collective-farm and co-operative property, there exists in the USSR the personal property of citizens, the basis of which is formed by their earned income (article 13 of the Constitution of the USSR). Article 15 of the Constitution of the USSR states that the supreme goal of

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Social production under socialism is "the fullest possible satisfaction of the people's growing material, cultural and intellectual requirements".

The social basis of the USSR, according to article 19 of the Constitution, is "the unbreakable alliance of the workers, peasants and intelligentsia". The Soviet State helps to enhance the social homogeneity of society and "pursues the aim of giving citizens more and more real opportunities to apply their creative energies, abilities and talents and to develop their personalities in every way" (art. 20 of the Constitution of the USSR).

By according broad democratic rights and freedoms to Soviet citizens, the new Constitution of the USSR, inter alia, fully guarantees and ensures the implementation in the Soviet Union of all the provisions of the Charter of the United Nations, the International Covenants on Human Rights and other United Nations documents relating to human rights. The new Constitution of the USSR raises to a higher, qualitatively new level the process of safeguarding all the rights and freedoms of every Soviet citizen and of the Soviet people as a whole.

Article 39 of the Constitution of the USSR states as follows:

"Citizens of the USSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR and by Soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic and cultural development programmes are fulfilled."

In addition to the Constitution (Fundamental Law), the USSR has a harmonious system of legislation aimed at genuinely safeguarding the broad democratic rights and freedoms of Soviet citizens and ensuring that problems affected by the International Covenants on Human Rights are dealt with in both legal and practical terms. In accordance with Economic and Social Council resolution 1988 (LX), a brief survey of the implementation in the Soviet Union of the provisions of articles 6-9 of part III of the International Covenant on Economic, Social and Cultural Rights is presented below, with due regard to the principles contained in parts I and II of the Covenant.

The right to work and to the choice of a trade or profession (art. 6 of the Covenant)

The Constitution of the USSR includes the right to work among the basic rights of Soviet citizens. Article 40 of the Constitution states as follows:

"Citizens of the USSR have the right to work (that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, and not below the State-established minimum), including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education, with due account of the needs of society.

"This right is ensured by the socialist economic system, steady growth of the productive forces, free vocational and professional training,

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improvement of skills, training in new trades or professions, and development of the systems of vocational guidance and job placement."

A number of other provisions of the Fundamental Law emphasize the special importance of socially useful work under socialism. Article 14 of the Constitution of the USSR states that the source of the growth of social wealth and of the well-being of the people, and of each individual, is the labour, free from exploitation, of Soviet people. The same article emphasizes that "Socially useful work and its results determine a person's status in society. By combining material and moral incentives and encouraging innovation and a creative attitude to work, the State helps to transform labour into the prime vital need of every Soviet citizen."

Of tremendous political and economic significance is the fact that an important feature of the socialist system, the grouping together of people in work collectives in accordance with the principle of joint labour, is reflected in the Constitution of the USSR. Article 8 of the Constitution reads as follows:

"Work collectives take part in discussing and deciding State and public affairs, in planning production and social development, in training and placing personnel, and in discussing and deciding matters pertaining to the management of enterprises and institutions, the improvement of working and living conditions, and the use of funds allocated both for developing production and for social and cultural purposes and financial incentives.

"Work collectives promote socialist emulation, the spread of progressive methods of work, and the strengthening of production discipline, educate their members in the spirit of communist morality, and strive to enhance their political consciousness and raise their cultural level and skills and qualifications."

The labour legislation of the USSR is a widely ramified branch of law based on the Fundamental Principles governing the Labour Legislation of the USSR and the Union Republics, approved by Act of the USSR of 15 July 1970, and on the labour codes of the Union Republics.

Article 2 of the Fundamental Principles provides as follows:

"The right of Soviet citizens to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the removal of the possibility of economic crises and the abolition of unemployment.

"Manual and non-manual workers exercise their right to employment by signing a contract of employment at an enterprise, establishment, institution or organization. They have the right to a wage or salary guaranteed by the State in proportion to the quantity and quality of labour contributed. They have the right to leisure and rest in conformity with the laws on the working day and working week and on annual paid leave,

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the right to healthy and safe working conditions, the right to free occupational and advanced training, the right to unite in trade unions, the right to take part in the management of production and the right to material maintenance in old age and in case of sickness or disability at the expense of the State through State social insurance."

The complete absence of unemployment, which was eliminated in our country some 50 years ago, provides vivid evidence of how fully the right to work is implemented in the USSR. Generations of Soviet citizens have grown up in a society in which full employment has been achieved, in which the number of jobs available consistently exceeds the number of persons seeking work, and in which everyone can freely choose his place of work in accordance with his inclinations, abilities and qualifications. The high level of employment in our country is demonstrated by figures showing that more than 90 per cent of the able-bodied population of the Soviet Union are engaged in social production.

The decisions of the Twenty-fifth Congress of the Communist Party of the Soviet Union, which approved the Main Guidelines for the Development of the National Economy of the USSR for the Period 1976-1980, the basis of the tenth five-year plan for the development of the national economy of the USSR, open up splendid prospects for fruitful labour and new creative achievements for the Soviet people. This document states as follows: "The main task of the tenth five-year plan is to ensure the consistent implementation of the policy of the Communist Party aimed at raising the material and cultural living standards of the people through the dynamic, balanced development of social production and the enhancement of its efficiency, the acceleration of scientific and technical progress, increased labour productivity, and all-round improvement in the quality of work in all sectors of the national economy."

The balanced, dynamic development of social production in the USSR is an important practical guarantee of the implementation of the right to work.

The vast scale of construction, the opening up of new areas in Siberia and the Far East, the construction of such projects as the Baikal-Amur railway line and the Kama automobile plant, the laying of huge oil and gas pipelines, the construction of atomic and thermal power plants and other ambitious projects provided for by the tenth five-year plan during the period 1976-1980 make it necessary to call upon ever-growing reserves of manpower and create limitless opportunities for every citizen of the USSR to exercise in actual fact his right to work. Every citizen of the USSR freely chooses his work in any sector of the national economy in accordance with his inclinations, trade or profession, area of specialization and qualifications. Manual and non-manual workers exercise their right to work by signing a contract of employment with an enterprise, institution or organization on the basis of their freely expressed wishes (art. 8 of the Fundamental Principles governing Labour Legislation), while collective farmers do so by voluntarily joining a collective farm.

The labour rights of citizens are protected by law and are upheld by the State organs as well as by the trade unions and other public organizations. Legislative

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provision is made for a number of legal guarantees of the right to work and the freedom to sign a contract of employment. Management is forbidden to refuse to hire an applicant without valid reason.

Management is forbidden to demand the performance of work not stipulated by the contract of employment. Transferring a manual or non-manual worker to another post is permitted only with the consent of the person concerned (arts. 12 and 13 of the Fundamental Principles).

A worker may, for any reason and at any time, annul a contract of employment signed for an indefinite term by giving management two weeks' notice (art. 16 of the Fundamental Principles), whereas management can annul a contract of employment on its own initiative only on a limited number of grounds, which are enumerated in the law (arts. 17 and 18 of the Fundamental Principles).

The fact that the law enumerates the grounds on which a worker may be dismissed on the initiative of management represents an important legal guarantee of the right to work enjoyed by manual and non-manual workers. A similar guarantee, confirming the restrictions on management's right to dismiss a worker, is provided by the requirement that the local trade union committee first give its consent to a dismissal. Article 18 of the Fundamental Principles provides that the annulment of a contract of employment on the initiative of management is prohibited without the prior consent of the local trade union committee and that a worker who has been unlawfully dismissed is to be reinstated in the post he held previously. A worker who feels that he has been unlawfully dismissed has the right to take his case to court, and, if the court finds that he was dismissed without proper cause, it rules that he be reinstated in his post and paid for his period of enforced idleness.

Like other Constitutional rights and freedoms, the right to work guaranteed by Soviet law is truly universal in character and is implemented on the basis of genuine equality of all citizens, without discrimination of any kind. This is one of the major historic achievements of Soviet power, and it is duly reflected in the country's Fundamental Law.

Article 34 of the Constitution of the USSR states as follows:

"Citizens of the USSR are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

"The equal rights of citizens of the USSR are guaranteed in all fields of economic, political, social and cultural life."

It is of particular importance that, in a multinational State like the Soviet Union, the equal rights of citizens should be implemented not only in a legal sense but in actual fact. Article 70 of the Constitution of the USSR states that our country is "an integral, federal, multinational State formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics". Article 36 of the Constitution constitutes a guarantee of the national equality of the peoples of the

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USSR and removes any possibility of discrimination on national grounds in the implementation of the rights accorded to Soviet citizens, including the right to work; this article provides as follows:

"Citizens of the USSR of different races and nationalities have equal rights.

"Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility of using their native language and the languages of other peoples of the USSR.

"Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law."

The Fundamental Principles governing Labour Legislation supplement these Constitutional norms with a direct reference to the inadmissibility of any limitation of rights or granting of privileges on the basis of sex, race, nationality or attitude towards religion when employing a worker (art. 9). It is also illegal to pay reduced rates on account of sex, age, race or nationality (art. 36).

Soviet labour legislation consistently applies the principle of equal rights of men and women, as laid down in article 35 of the Constitution of the USSR:

"Women and men have equal rights in the USSR.

"Exercise of these rights is ensured by according women equal access with men to education and vocational and professional training and equal opportunities in employment, remuneration and promotion and in socio-political and cultural activity, and by special labour and health protection measures for women; by providing conditions enabling women to combine work and motherhood; and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for pregnant women and mothers and the gradual reduction of working time for women with small children."

At the present time, women in the USSR constitute half the total number of manual and non-manual workers in the economy. In industry, for example, every second worker operating machinery is a woman. In 1975 women in the Soviet Union made up 73 per cent of educational workers, 70 per cent of doctors, cultural workers and workers in the textile industry and light industry, 68 per cent of communications workers and 50 per cent of scientific workers.

About 4,000 women are directors of industrial enterprises, more than 200,000 are factory shop superintendents or heads of sections and laboratories and more than 200,000 are foremen. More than half the directors of enterprises and

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establishments in the fields of health, trade, public catering and household services are women. In the USSR, 2,400 women are academicians, corresponding members of the academies of sciences of the USSR and Union Republics and professors, more than 4,500 women have the degree of doctor of science and 94,000 are candidates of science.

Terms of contracts of employment offering conditions for manual and non-manual workers which are inferior to those provided for by USSR and Union Republic labour legislation or which contradict this legislation in any other way are null and void (art. 5 of the Fundamental Principles governing Labour Legislation).

Persons guilty of substantial violations of labour legislation are liable to disciplinary, administrative and, where appropriate, criminal penalties (art. 138 of the Criminal Code of the RSFSR and corresponding articles of the Criminal Codes of the other Union Republics).

Soviet labour legislation makes provision for the right of workers to free vocational training and free advanced training. Vocational training and advanced training are provided in various forms: in fixed educational establishments, i.e. urban and rural vocational-technical schools; in specialized secondary educational establishments training specialists and technicians for industrial and agricultural enterprises and for cultural, health and educational establishments; and in higher educational establishments training highly skilled specialists for all branches of the economy. All these forms of training can be taken advantage of either with or without interruption of employment.

At the same time, in accordance with article 83 of the Fundamental Principles governing Labour Legislation, the management of enterprises organizes at such enterprises individual and group training, course instruction and other forms of industrial training for manual and non-manual workers, especially young persons, including training to improve their skills and, in the case of persons who have engaged in practical work, to learn new skills. Manual workers with considerable industrial experience and foremen may, without interruption of employment, improve their skills in schools for foremen.

Management and engineering and technical personnel improve their skills in the advanced training faculties of higher and specialized secondary educational establishments and through short-term courses offered by ministries, departments, large enterprises, research institutes, etc.

Time spent in training and retraining is counted as work time, and there is an extensive system of benefits for persons combining work with study. Persons who engage in full-time study are granted stipends. Manual and non-manual workers following part-time industrial training or study courses at educational establishments are provided by the management with the necessary conditions to enable them to combine work and study.

If a manual or non-manual worker is recommended for a more skilled post or for promotion, his industrial training achievements, his general or vocational education

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and the completion of higher or specialized secondary education must be taken into account (art. 83 of the Fundamental Principles governing Labour Legislation).

In the Soviet Union there are special State bodies which are responsible for providing various kinds of work training. Thus vocational and technical training in the USSR is directed by the State Committee of the Council of Ministers of the USSR for Vocational and Technical Training, while the on-the-job training and advanced training of workers is directed by the State Committee of the Council of Ministers of the USSR for Labour and Social Questions. These State Committees are responsible in particular for formulating and confirming lists of occupations for which training of workers in vocational-technical educational establishments and on the job is provided.

Employment of the broad masses of the urban and rural population, including young people graduating from general education schools and vocational-technical schools, is also the concern of State bodies responsible for securing employment for specific categories of citizens. In the approach to these matters, the plan basis for the development of the main branches of the economy of the USSR is strictly respected. The general direction of planning for supplying the country's economy with skilled personnel, having regard to the requirements of the different branches of the economy and of districts and Republics, is the responsibility of the State Planning Committee of the Council of Ministers of the USSR (Gosplan USSR), which must make provision for the steady growth of the productivity of labour, the correct use of the country's labour resources and the supplying of the economy with skilled workers and specialists with higher and specialized secondary education.

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The right to just and favourable conditions of work
(article 7 of the Covenant)

Under article 40 of the Constitution of the USSR, in the Soviet Union the principle of pay in accordance with the quantity and quality of work, and not below the State-established minimum, is applied.

The decisions of the Twenty-fifth Congress of the Communist Party of the Soviet Union provided for strengthening the incentive value of pay for work performed and stressed the relationship between the income of each worker and his personal contribution through his work to the development of social production and the enhancement of its effectiveness.

Article 14 of the Constitution of the USSR provides that the State exercises control over the measure of labour and of consumption in accordance with the principle of socialism: "From each according to his ability, to each according to his work." In this connexion, the State promotes the elimination of the essential distinctions between town and country and between intellectual and physical labour (art. 19 of the Constitution of the USSR) and "concerns itself with improving working conditions and the protection of labour and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanization and automation of production processes in all branches of the economy" (art. 21 of the Constitution of the USSR).

On the basis of increased labour productivity, the State, under article 23 of the Constitution of the USSR, "consistently pursues a policy of raising the level of pay and real income of workers".

In the context of the planned management of the economy, State regulation of wages ensures that workers in the USSR receive equal pay for equal work. The Fundamental Principles governing Labour Legislation define the modus operandi of the system of centralized establishment of wages by the State with the participation of the trade unions: "The work of manual workers shall be remunerated on the basis of tariff rates (monthly salaries) fixed by the central bodies. The management of the enterprise or establishment shall, in agreement with the works union committee, classify jobs in accordance with different tariff categories and workers according to categories of skill, in conformity with the provisions of the tariff (wage rates) and skills handbook."

"The work of non-manual workers shall be remunerated on the basis of monthly salary rates fixed by the central bodies. The salaries of non-manual workers shall be fixed by the management of the enterprise or establishment on the basis of the post they occupy and their skills" (art. 37).

The fixing of conditions of payment for labour which are contrary to the normative provisions are, in accordance with article 5 of the Fundamental Principles governing Labour Legislation, impermissible, and officials responsible for any substantial violation of labour legislation are liable under article 138 of the Criminal Code of the RSFSR and corresponding articles of the criminal codes of the other Union Republics.

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The Soviet Government consistently pursues a policy of raising the level of pay and real income of workers. The pay of manual and non-manual workers increases during the period of each five-year plan by 20 to 25 per cent. During the ninth five-year plan period, the pay of more than 75 million workers was increased. During the tenth five-year plan period, more than 31 million workers will benefit from measures to increase pay.

An important role in the formation of the real income of workers is played by the social consumption funds established, in accordance with article 23 of the Constitution of the USSR, to satisfy more fully the needs of the Soviet people. The share of social consumption funds in the national income of the USSR now amounts to 25 per cent. The social consumption funds provide the workers of the USSR with free training and advanced training, free medical care, allowances, pensions, students' grants, paid regular leave, free and reduced-rate passes to sanatoria and rest homes, funds for the maintenance of children in pre-school children's establishments and a number of other grants and benefits.

Social consumption funds in the USSR are formed from the income of enterprises and not from the taxes levied on the incomes of citizens.

The State, with the broad participation of public organizations and work collectives, ensures the growth and just distribution of these funds so that all members of society may have equal opportunities to enjoy the fundamental constitutional rights to education, to leisure, to health protection, to housing and so forth. In the tenth five-year plan period, grants and benefits under the social consumption funds will increase by 28 to 30 per cent and by 1980 will total not less than 115 billion roubles.

Article 55 of the Fundamental Principles governing Labour Legislation prescribes measures for the encouragement of exemplary fulfilment of duties, achievements in socialist emulation, increased labour productivity, improvement of the quality of products, irreproachable work over many years, innovations in work and other labour achievements. These incentives include public commendation, bonus or gratuity, award of a gift or recompense, award of a diploma of honour and entry of the worker's name in a Book of Honour or Roll of Honour. It should be noted in particular that in accordance with this article manual and non-manual workers who perform their tasks successfully and conscientiously are granted privileges with respect to social and cultural services and household amenities and are favourably considered for promotion. Promotion is understood to mean the assignment of work requiring higher qualifications or transfer to a higher post (art. 133 of the Labour Code of the RSFSR). For outstanding labour achievements manual workers, collective farm workers and non-manual workers are recommended for the award of orders and medals of the USSR, diplomas of honour, badges and titles of honour.

Especially important as a guarantee of the right to just and favourable conditions of work are measures for protecting the health of workers and increasing labour safety and hygiene. Article 42 of the Constitution of the USSR reads:

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"Citizens of the USSR have the right to health protection.

"This right is ensured by free, qualified medical care provided by State health institutions; by extension of the network of therapeutic institutions and institutions for improving the health of citizens; by the development and improvement of safety and hygiene in industry; by carrying out broad prophylactic measures; by measures to improve the environment; by special care for the health of the rising generation, including the prohibition of child labour, excluding the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life."

The successes of Soviet health care are well known. Suffice it to mention that in the 40 years from 1936 to 1976 the number of hospital beds in the USSR increased from 550,000 to 3,076,000. By the end of 1978 they will total 3,200,000. In all there are about 25,000 hospitals and 35,000 out-patient polyclinics in the USSR. More than 900,000 doctors protect the health of the Soviet people - almost a third of the total number of doctors in the world.

In the ninth five-year plan period, 52 billion roubles were spent. New hospitals with modern equipment accommodating 346,000 patients and polyclinics with a capacity of 647,000 patients per shift were brought into operation.

There has been considerable development in recent years of sanatorium-dispensaries attached to industrial enterprises, collective farms and State farms. There are now about 2,200 such establishments in the USSR with a capacity of 168,000. In 1976 alone more than 2 million manual and non-manual workers and collective farm workers received full preventive treatment in these establishments without interruption of their work.

Under Soviet labour legislation, the right to healthful and safe working conditions is among the most important labour rights of citizens (art. 2 of the Fundamental Principles governing Labour Legislation).

An extensive system of measures to ensure these rights has been developed and is being applied in our country. An important place among these is occupied by measures directly involving the workers: periodic medical examinations, preventive treatment, the provision of therapeutic and prophylactic diets where necessary, and the issue, free of charge, of special clothing, footwear and other items for individual protection. However, the system consists primarily of requirements imposed on the management of enterprises, establishments and organizations, which, under article 57 of the Fundamental Principles governing Labour Legislation, article 139 of the Labour Code of the Russian Soviet Federative Socialist Republic and similar articles of the labour codes of the other Union Republics, are required to ensure healthful and safe working conditions. "Management shall be responsible for the introduction of modern safety engineering to prevent industrial accidents and for providing conditions of hygiene to protect manual and non-manual workers against occupational diseases."

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Management must ensure the necessary technical equipment for all work posts and establish working conditions there that conform to the rules for the protection of labour (regulations governing safety techniques, health rules and regulations, etc.) (art. 60 of the Fundamental Principles governing Labour Legislation).

Soviet labour legislation provides for the compulsory observance of normative requirements for labour protection during the construction and operation of industrial buildings, plant and equipment (art. 58 of the Fundamental Principles governing Labour Legislation, art. 140 of the Labour Code of the RSFSR), prohibition of the operation of enterprises not meeting labour-protection requirements (art. 59 of the Fundamental Principles governing Labour Legislation), and prohibition of the mass production of models of new machines and other equipment not meeting labour-protection requirements (art. 142 of the Labour Code of the RSFSR).

According to article 67 of the Fundamental Principles governing Labour Legislation, enterprises, establishments and organizations are liable in damages for any prejudice caused to the health of manual or non-manual workers in connexion with the fulfilment of their work obligations. Regulations on safety techniques govern matters relating to the ensuring of safe working conditions from the standpoint of the construction of machines, machine-tools and mechanisms, and health rules and regulations govern the sanitary and hygienic maintenance of enterprises, the lighting and ventilating equipment, the necessary anti-noise and anti-dust measures, the rules for providing special clothing, therapeutic and prophylactic diets and the like. In accordance with article 60 of the Fundamental Principles governing Labour Legislation and article 143 of the Labour Code of the RSFSR, the regulations and rules may be uniform for all economic sectors; compulsory for every enterprise, establishment or organization, irrespective of sector; intersectoral, extending to certain specified lines of production or work in any sector where they are applicable; or sectoral, i.e. applicable in a specific sector. Both the uniform and the intersectoral rules and regulations for labour protection are approved by the Council of Ministers of the USSR or, through its authorization, by other state bodies in collaboration or by agreement with the All-Union Central Council of Trade Unions. This guarantees the universal and compulsory nature of the requirements imposed for the purpose of establishing a high level of safe and favourable working conditions for all workers. All-Union rules and regulations governing health and hygiene are drafted and approved, according to a prescribed procedure, by the Ministry of Health of the USSR (art. 7, para. 6, of the Fundamental Principles governing the Public Health Legislation of the Union of Soviet Socialist Republics and the Union Republics). The State Committee of the Council of Ministers of the USSR for Supervision of Safe Operation in Industry and Supervision of Mines, by agreement with the All-Union Central Council of Trade Unions and the appropriate ministries and offices, approves the intersectoral rules and regulations for safe operation. Such normative acts on safety techniques as relate to construction rules and regulations are approved in collaboration with the State Committee of the Council of Ministers of the USSR on Construction Matters. Sectoral rules and regulations are approved by ministries, offices and State supervisory organs in collaboration or by agreement with the central council of the appropriate sectoral trade union.

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The Soviet Union has made great advances in establishing healthful and safe working conditions. Very large amounts are spent for these purposes each year. Thus, 7.5 billion roubles was spent for these purposes under collective contracts during the period of the ninth five-year plan alone. In each enterprise, and in each economic sector as a whole, there are complex plans for the improvement of working conditions and labour protection and sanitary and health measures. During the years of the ninth five-year plan, as a result of the implementation of these complex plans, more than 300,000 large ventilation systems were dismantled and reconstructed, and 8,700 purifying systems and 18,000 gas-and-dust trapping and recovery systems and installations were put into operation. Furthermore, 450 types of machines and equipment were brought into conformity with hygienic norms on noise and vibration. In many production plants, mechanized and automatic production lines were installed.

As a result of the measures adopted, industrial accidents in the material production sectors were reduced by 15 per cent during the five-year plan, and the level of occupational diseases was reduced by 24 per cent. The USSR has achieved one of the lowest levels of industrial accidents and occupational diseases.

Among the social tasks of the tenth five-year plan which are aimed at improving the economy and the well-being of the people, there is no more important and humanitarian task than the maintenance of people's health and the creation of working conditions worthy of the socialist era.

The tenth five-year plan (1976-1980) provides for major labour-protection measures. Special importance is attached to the mechanization and automation of arduous types of work, particularly in sectors in which many workers perform heavy manual labour, and also in underground work and work under conditions harmful to health. Provision has been made for doubling the output of equipment to be used in the mechanization of arduous and difficult construction work, lifting and transporting work, loading and unloading work and warehouse work. Plans call for increasing the output and improving the quality of protective devices, equipment and instruments necessary for establishing safe and healthful working conditions. Soviet industry will produce 20,000 new types of machines, devices, apparatuses and instruments which will make it possible not only to mechanize and automate heavy manual labour but also to prevent monotony and repetitiousness in operations.

A total of 14.7 billion roubles will be spent to implement complex plans for the improvement of working conditions and labour protection under the tenth five-year plan; this is almost twice the amount spent for the purpose during the past five years.

Our country has established and is expanding a network of scientific research establishments on labour safety and hygiene. There are 727 such establishments, including 10 scientific production associations and 562 institutes and laboratories. A broad programme of work for solving scientific and technical problems involved in labour protection, approved by the All-Union Central Council of Trade Unions and the State Committee on Science and Technology of the Council of Ministers of the USSR, is being successfully carried out. The programme provides for

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concentrating the efforts of scientific establishments on ensuring a diversified approach to the solution of intersectoral problems and on the development and introduction into industry of means that will bring about a further reduction of the level of industrial accidents and occupational diseases. More than 200 scientific and design organizations and enterprises of 66 All-Union and Republic ministries and offices are taking part in the implementation of the programme.

Of great importance in ensuring the right to just and favourable working conditions is the granting of guaranteed rest and leisure to workers. Article 41 of the Constitution of the USSR provides the following:

"Citizens of the USSR have the right to rest and leisure.

"This right is ensured by the establishment of a working week not exceeding 41 hours for manual and non-manual workers, a shorter working day in a number of trades and industries, and shorter hours for night work; by the provision of paid annual holidays, weekly days of rest, extension of the networks of cultural, educational and health-building institutions, and the development on a mass scale of sport, physical culture and tourism; by the provision of neighbourhood recreational facilities and of other opportunities for rational use of free time.

"The length of collective farmers' working and leisure time is established by their collective farms."

Today the normal working week for manual and non-manual workers in the USSR cannot exceed 41 hours. As economic and other essential conditions evolve, the length of the working week will be gradually reduced (art. 21 of the Fundamental Principles governing Labour Legislation).

For some categories of workers, in connexion with their working conditions, and also for persons under the age of 18 years, a shorter working week has been established (art. 22 of the Fundamental Principles governing Labour Legislation). In 1975 the average duration of the working week in the national economy was 39.4 hours.

A five-day working week with two rest days is observed for manual and non-manual workers. Where the conditions of work make a five-day working week inexpedient, a six-day working week with one rest day is observed with daily working hours not exceeding seven (art. 23 of the Fundamental Principles governing Labour Legislation).

In order to preserve the rights of citizens to rest and leisure, the law prohibits overtime work as a general rule. Overtime is permitted only in exceptional cases, subject to the consent of the trade union, and must not exceed four hours for any worker on any two days in succession, nor exceed 120 hours in any one year (art. 27 of the Fundamental Principles governing Labour Legislation).

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Work on rest days is forbidden by law (art. 30 of the Fundamental Principles governing Labour Legislation). Such work is permitted only in exceptional cases and subject to the consent of the trade union. Each weekly rest day on which work is performed must be compensated by another day of rest. If this is not possible, double rates must be paid for work performed on the rest day.

Workers must be granted annual leave. It is forbidden to give cash compensation in lieu of leave, except where a worker is dismissed before he has used up his annual leave (art. 32 of the Fundamental Principles governing Labour Legislation). The duration of paid annual leave for adult manual and non-manual workers must be between 15 and 48 working days. In addition, the legislation provides for additional types of leave on account of harmful working conditions, severe climatic conditions, long periods of work and the like.

A considerable amount of work is being done in the Soviet Union to develop organized leisure activities for workers and tourism and to develop treatment at sanatoria and health resorts. New health centres and tourist establishments with 173,000 places have been put into operation in recent years. The sanatorium and health-resort establishments and tourist establishments of trade unions alone can today accommodate 735,000 workers at one time.

Almost all trips to sanatoria, holiday hotels and leisure centres are available to manual workers, collective farmers, non-manual workers and members of their families on preferential terms, at 70 per cent discount or free of charge, as a result of funds provided by the State social insurance system.

A vast programme for the further development of sanatorium and health-resort facilities and tourism is planned for the tenth five-year plan. A total of 1.4 billion roubles is being spent for these purposes through trade unions alone.

Soviet legislation provides a number of special guarantees to ensure the most favourable working conditions for women, taking account of the physical and physiological characteristics of the female organism and the social role of women. A special chapter of the Fundamental Principles governing Labour Legislation (arts. 68-75) is devoted to the employment of women. Women are granted leave by reason of pregnancy and confinement and are paid their regular wages for 56 calendar days before and 56 days after confinement. In the event of complications during childbirth or a multiple birth, the post-natal maternity leave is extended to 70 days (art. 71). A woman may, at her request, be granted additional leave without pay until her child reaches its first birthday (art. 71). About 1.3 billion roubles is spent each year for maternity leave with full pay.

The decisions of the Twenty-fifth Congress provide for the introduction during the tenth five-year plan of child-care leave with partial pay for working women until the child reaches the age of one year. Women with children will be afforded greater opportunities to work a partial working day or a partial working week and also to work at home.

Pregnant women, nursing mothers and mothers with infants under one year of age are, if necessary (e.g. for health reasons), entitled to be transferred to other

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work, retaining the same average remuneration (art. 70 of the Fundamental Principles governing Labour Legislation). In addition to the normal mealtime and rest intervals, mothers with infants under one year of age are entitled to additional nursing breaks to feed the infant; such intervals must be granted at least once every three hours and must be of at least 30 minutes' duration. The intervals must be paid at the average rate of remuneration (art. 72). It is unlawful to employ women in arduous work, work in unhealthful working conditions or underground work; it is unlawful to employ women for night work, except in cases where there is a special need to do so and such employment is permitted as a temporary measure. It is unlawful to employ pregnant women, nursing mothers and mothers with children under one year of age on night work, overtime or work on rest days or for travelling on missions (art. 69).

Particularly important in the system of legal guarantees are the rules prohibiting refusal to employ a woman, dismissal of a woman and reduction of a woman's remuneration on account of her pregnancy or the fact that she has a child. Violation of these rules entails administrative and criminal liability.

The pay for work done by women is equal to the pay received by men, depending on the quantity and quality of production, at the same piecework rates and hourly wage scales. Like men, women receive allowances for all cases of temporary inability to work, as well as old-age and disability pensions.

The solution of problems involved in making the working conditions and lives of women employed in production easier and more healthful is facilitated to a great extent by the All-Union Survey of the Working Conditions, Life and Leisure of Working Women which has been announced by the All-Union Central Council of Trade Unions and is being carried out during the years 1977-1978. Special attention is being given in our country to the correct organization and establishment of favourable working conditions for young people. These questions are also dealt with in a special chapter of the Fundamental Principles governing Labour Legislation (arts. 74-82).

It is unlawful to employ young persons under 16 years of age. In exceptional cases, it is permissible to employ persons who have reached their fifteenth birthday with the consent of the local trade union committee (art. 74). In order to protect the health of persons under the age of 18, they may not be employed on arduous work, work in unhealthy or dangerous working conditions or underground work, or on night work, overtime or on rest days (arts. 75 and 78). All persons under 18 years of age undergo a preliminary medical examination before being accepted for employment, and after that they undergo a regular medical examination every year until they have reached their eighteenth birthday (art. 76). If, as a result of a medical examination, it appears that a minor is being employed on work which is contraindicated in view of his state of health, he must be given other, more suitable, work. On medical grounds, minor workers may be prescribed dietary foods, or be sent to a sanatorium or rest home or to an overnight preventive clinic.

The work of young persons is lightened by the establishment of shorter working hours for young workers (24 hours a week for those 15 to 16 years of age and 36 hours a week for those 16 to 18 years of age). They are guaranteed remuneration at the same rate as manual and non-manual workers in the corresponding category who work normal daily hours.

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The dismissal of manual and non-manual workers under 18 years of age by the management is permissible only with the consent of the district or city Minors Board.

Right to join trade unions (art. 8 of the Covenant)

The right of citizens of the USSR freely to join trade unions is set forth in article 51 of the Constitution of the USSR:

"In accordance with the aims of building communism, citizens of the USSR have the right to associate in public organizations that promote their political activity and initiative and satisfaction of their various interests.

"Public organizations are guaranteed conditions for successfully performing the functions defined in their rules."

Article 7 of the Constitution of the USSR gives public organizations wide powers in deciding State and public affairs:

"Trade unions, the All-Union Leninist Young Communist League, co-operatives, and other public organizations participate, in accordance with the aims laid down in their rules, in managing State and public affairs and in deciding political, economic, and social and cultural matters."

The fact that trade unions and other public organizations are entitled to initiate legislation in the Supreme Soviet of the USSR (art. 113 of the Constitution of the USSR) testifies to the broad public confidence which trade unions enjoy in the Soviet Union. Trade unions in the USSR are the largest mass public organization, comprising more than 107 million members. The right to form trade unions is considered in Soviet legislation as one of the most important rights of citizens and it is steadfastly implemented. As stated in article 95 of the Fundamental Principles governing Labour Legislation, "The trade unions shall act in conformity with the rules and statutes they adopt themselves; they shall not be obliged to be registered with any State bodies". This same article places a responsibility on State bodies, enterprises, establishments, institutions and organizations to give "every assistance to trade unions in their activities".

Soviet legislation entrusts to the trade unions the responsible task of representing the interests of the workers in the field of production, labour, welfare, living conditions and culture. In particular, it is stated that manual and non-manual workers participate in the management of production through the trade unions (art. 97 of the Fundamental Principles governing Labour Legislation). In connexion with this task, the trade unions are given wide powers: the trade unions participate in drawing up and implementing the economic development plans and in the solution of questions bearing on the distribution and utilization of material and financial resources; enlist the manual and non-manual workers in the management of production, organize socialist emulation and mass technical development efforts, and help to promote production and labour discipline.

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The establishment of working conditions, the fixing of wages and salaries, the application of labour legislation and the utilization of public consumer funds in cases specified by legislation are carried out by the enterprises and establishments and their higher organs, jointly or in agreement with the trade unions. The trade unions exercise supervision and control over the observance of labour legislation and industrial safety regulations, and exercise control over the housing and welfare services provided for the manual and non-manual workers.

The trade unions are responsible for State social security and administer the sanatoria, hospital and nursing-home establishments and rest homes for which they are responsible, as well as cultural and educational, holiday and sports establishments (art. 96 of the Fundamental Principles governing Labour Legislation).

Co-operation between Soviet State organs and the trade unions at all levels takes place mainly in connexion with tasks relating to the drawing up and implementation of the economic plan - from the State plan on a country-wide scale to the plan for each individual undertaking; the constant raising of the efficiency of social production as a source of growth in the material welfare and culture of the workers; the organization of socialist emulation and the dissemination of advances in knowledge; the raising of the industrial and commercial qualifications of the workers; the introduction of advanced techniques and technology, the improvement of the organization of labour, etc.

The trade unions may not be dissolved by an administrative decision. The right to join trade unions is a universal right; it belongs to citizens of all occupations without distinction as to race, nationality, sex or religious conviction. Obstructing the exercise by Soviet citizens of the right to join trade unions is punishable as a criminal offence (art. 137 of the Criminal Code of the RSFSR).

The trade unions play a major role in the solution of questions relating to labour and the welfare and living conditions of each individual manual and non-manual worker. As already indicated, the contract of employment may not be cancelled by the management of an enterprise, establishment or organization without the prior consent of the local trade-union committee. The permission of the trade union is required for overtime work and work on rest days. The law provides additional guarantees for elected trade-union workers carrying out their duties without being released from production. According to article 99 of the Fundamental Principles governing Labour Legislation, such workers may not be transferred by the management to another post or have any disciplinary sanction imposed on them without the consent of the local trade-union committee, and they may be dismissed by the management only with the consent of the higher trade-union body.

According to article 137 of the Criminal Code of the RSFSR (and the corresponding articles of the criminal codes of the other Union Republics), obstructing the legal activity of trade unions and their organs is an offence punishable under criminal law.

Soviet legislation contains no provisions prohibiting strikes. However, in conditions in which the workers themselves exercise power in the interests of

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society as a whole on the basis of the nationalization of the principal means of production, the elimination of the exploitation of man by man and the planned development of the national economy, and when the social and political structure of the State is a guarantee that the interests of manual and non-manual workers will be safeguarded, there is no longer any need for the workers to have recourse to that method of protecting their rights.

The trade unions solve their own internal problems independently. Relations within the trade unions are governed exclusively by the rules established by the trade unions themselves. These are set out in the Regulations governing trade unions in the USSR and the branch trade unions and the decisions of trade-union organs.

The Regulations governing trade unions in the USSR, confirmed at the thirteenth Trade Union Congress, define the rights and functions of the higher trade-union organs, the All-Union Central Council of Trade Unions, the Central Inspection Commission and the Central Committees of the branch trade unions. According to the Regulations, the trade unions of the USSR are part of the world trade-union movement; they actively participate in the activities of the World Federation of Trade Unions and establish and maintain links and contacts with foreign trade unions grouping workers irrespective of their racial or national origin or political or religious views. The All-Union Central Council of Trade Unions represents Soviet trade unions in the international trade-union movement (art. 29 of the Rules governing trade unions in the USSR).

All internal trade-union relations, including, for example, financial relations - the establishment of the rate of members' contributions and the expenditure of trade-union resources, and control over the implementation of the trade-union budget - are governed by the instruments of the trade-union organs and are not controlled by the State. The Constitution of the USSR and Soviet legislation also do not regulate the organizational structure of the trade unions and, consequently, they permit their number to increase. The organization of trade unions on a production basis, whereby all those working in one enterprise form one trade union, ensures the unity of the trade-union movement and most fully corresponds to their main responsibilities, namely to watch over the interests of the workers and to strengthen control over the observance of labour legislation, and the rules and regulations governing industrial safety and safety measures.

By a decree of the Presidium of the Supreme Soviet of the USSR of 6 July 1956, the Soviet Union ratified the 1948 ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize, and in the reports submitted in accordance with article 22 of the Constitution of the International Labour Organisation, it submitted exhaustive information relating to legislation and practice in the USSR in connexion with the provisions of the above-mentioned Convention.

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Right to social security (art. 9 of the Covenant)

Article 43 of the Constitution of the USSR states:

"Citizens of the USSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner. This right is guaranteed by social insurance of workers and other employees and collective farmers; by allowances for temporary disability; by the provision by the State or by collective farms of retirement pensions, disability pensions, and pensions for loss of the breadwinner; by providing employment for the partially disabled; by care for the elderly and the disabled; and by other forms of social security."

The procedure for the grant and payment of benefits is governed by the "Regulations respecting the procedure for the grant and payment of State social insurance benefits", confirmed by an ordinance of the Presidium of the All-Union Central Council of Trade Unions of 5 February 1955, which apply to the whole country.

State pensions in respect of old age, disability and loss of the breadwinner are granted in accordance with the National Pensions Act adopted by the Presidium of the Supreme Soviet of the USSR on 14 July 1956. As stated in article 1 of the Act, pensions are granted and paid to all manual and non-manual workers, persons serving with the armed forces, persons attending higher and specialized secondary educational establishments, to other citizens in the event of their becoming disabled in connexion with the performance of State or public duties, and to members of the families of citizens specified above in the event of loss of the breadwinner. In accordance with article 1 of the Act on Pensions and Benefits for members of collective farms, adopted by the Supreme Soviet of the USSR on 15 July 1969, this right is extended also to collective-farm workers.

The procedure for the grant and payment of pensions is determined by the Regulations confirmed by an ordinance of the Council of Ministers of the USSR of 3 August 1972.

The State social-security rights of citizens are set forth in articles 100 to 103 of the Fundamental Principles governing Labour Legislation. All manual and non-manual workers are covered by compulsory State social security, which is financed by the State. The social-security contributions are paid by the enterprise, establishment or organization without any deduction from the workers' remuneration. Article 101 of the Fundamental Principles governing Labour Legislation lists the types of social security benefits: temporary disability allowances, maternity allowances, birth grants, burial grants, old-age pensions, disability pensions, pensions for loss of breadwinner, and length-of-service pensions. State social-security funds are also used to defray the cost of the treatment of manual and non-manual workers at sanatoria and health resorts and at preventive clinics and rest homes, dietary foods, the maintenance of Young Pioneer Camps and other facilities.

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According to article 102 of the Fundamental Principles governing Labour Legislation, temporary disability allowances are paid in the event of sickness or injury, temporary transfer to another post as a result of sickness, where a worker has to take care of a sick member of the family, quarantine, treatment at a sanatorium or health resort and the fitting of a prosthetic appliance, and they may amount to the full earnings of the worker concerned. In the case of sickness or injury, the allowance is paid until the capacity for work has been restored or the disability is declared to be permanent. The amount of the allowance varies only according to the length of service in the enterprise or establishment.

In the USSR, the age at which citizens are entitled to an old-age pension is one of the lowest in the world. Men are entitled to a pension at the age of 60, and women at the age of 55. Depending on the conditions and the nature of the work, and also in a number of cases specified by law, the pensionable age may be 5 to 10 years lower than the generally established age.

The social-security system in the USSR covers a variety of health and preventive measures. The most important of these are treatment at a sanatorium or health resort, dietary foods, the organization of the rest time of the workers and members of their families. It is established by legislation that all the passes to sanatoria and rest homes purchased by an undertaking or establishment with social-security funds are issued to workers free of charge or against partial payment of the cost.

A characteristic of the social-security system in the USSR is its accessibility to the broad masses of the workers. For example, a manual or non-manual worker or a collective-farm worker is entitled to material security under the social-security system from the first day of his employment, irrespective of the nature of the work - permanent, temporary or seasonal - or the place of work - in a State, co-operative or public enterprise or establishment.

State allocations to social security in the USSR are constantly increasing; this makes possible a systematic rise in the level of security of the workers on reaching old age and in the event of being unable to work, and the expansion of preventive and health activities. In 40 years, from 1926 to 1970, expenditure on each insured individual increased from 19 to 266 roubles a year.

The decisions of the Twenty-fifth Congress of the Communist Party of the Soviet Union provided for the further improvement of the social-security system in the USSR during the tenth five-year plan. The aim is to raise the minimum pension rates for manual and non-manual workers and collective-farm workers, and to bring closer together the social security of different categories of workers. Pension benefits for mothers of large families will be expanded and the network of residential homes for disabled persons and the aged will be extended. Measures are also planned to improve industrial training for the disabled and to expand the opportunities for wider participation by the disabled and other categories of pensioners in socially useful work.
