



Economic and Social Council

UN LIBRARY

APR 30 1984

UN/SA COLLECTION

Distr.
GENERAL

E/1984/WG.1/SR.7
25 April 1984

ORIGINAL: ENGLISH

First regular session, 1984

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

SUMMARY RECORD OF THE 7th MEETING

Held at Headquarters, New York,
on Thursday, 19 April 1984, at 10.30 a.m.

Chairman: Mr. BENDIX (Denmark)

later: Mr. MITREV (Bulgaria)

CONTENTS

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

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

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.55 a.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

Report of Finland (E/1982/3/Add.28)

1. At the invitation of the Chairman, Ms. Wartioraava and Mr. Rusi (Finland) took places at the table.

2. Ms. WARTIORAAVA (Finland) said that educational development in various countries clearly indicated that structural changes in education were rather slow and that changes in educational content were even slower. That was the case also in Finland, where educational policies were developed as an integral part of general social policy.

3. The basic regulations on education were laid down in the Finnish Constitution and in educational legislation. The most important of those regulations concerned the duty of the citizen to be educated. To that end, the Finnish Constitution guaranteed the right to education, free of charge for all citizens. The development of the entire educational system was in accordance with the principle of the comprehensive school.

4. The primary and lower secondary school had been combined into the comprehensive school. Thus, all children attended the same basic school. However, a gradual diversification was allowed at the upper level, where pupils could choose certain subjects. The comprehensive school was free of charge, including not only instruction and educational material, but also health services, school meals and, if necessary, transport and accommodation.

5. In both the upper secondary schools and the vocational institutions, the principle of the comprehensive school had been adopted. Thus, those two forms of education would be developed on the basis of unified educational goals while still retaining their special characteristics. The purpose of the reform of vocational education was to ensure that every young person who had completed the comprehensive school could get some kind of vocational education either at the secondary level or in the institutions of higher education. A second goal was to ensure that the content of that education corresponded to the needs of working life and society as a whole.

6. In the late 1960s and early 1970s, higher-education policy had been focused on quantitative planning, the objective being to distribute the expansion of higher education evenly among the various disciplines and among the different parts of the country. When in the mid-1970s the higher-education sector could no longer be expanded, its qualitative development had then become the main priority area. The leading principle was to link research and higher education as closely as possible. All institutions of higher education were therefore also research institutions. Adult education had its traditional forms and lines of action and was at present under intense reform.

/...

(Ms. Wartioraava, Finland)

7. Finland's school system was based on equal treatment of both official language groups, Finnish and Swedish, and of both sexes. The interests of the Swedish-speaking minority, less than 7 per cent, were guaranteed in the same way as those of the Finnish majority. Boys and girls had an equal right to education and there were no separate schools for boys or girls. Regional equality was difficult to achieve in a large, sparsely-populated country like Finland. However, the general policy was to eliminate the hindrances of long distances by providing school transport and accommodation and by maintaining a large number of very small schools.

8. With respect to the education of ethnic minorities, Swedish, even though a second language, enjoyed equal status. In addition, there were some 5,000 Saamis and 6,000 gypsies, together making up 0.1 per cent of the population, who enjoyed the same rights to education. The Saamis were able to receive basic education in their mother tongue, which could also be studied in three universities in Finland. Public measures were being taken to develop gypsy culture and the teaching of Romany would be intensified.

9. Mr. KORDS (German Democratic Republic) said that the Finnish report (E/1982/3/Add.28) showed that articles 13 to 15 of the Covenant were being successfully implemented in Finland. The introduction made by the representative of Finland covered many facts that had not been included in the report and he hoped that her statement together with more statistical data could be annexed to the report.

10. He wished to know whether pre-school education was compulsory in Finland, whether it was private or public, and what age groups it covered. He would also appreciate more figures on how many hours were spent per week in school and on diversity in education. He also wished to know what percentage of students went on to higher education and what percentage received vocational training. In addition, the report stated that there were no discrimination problems in making higher education equally accessible to all and, accordingly, he wished to know what were the procedures for entering higher-education institutions.

11. The report also stated that in Finland, school attendance was not compulsory but education was. He wished to know whether it was possible for gifted students to finish their studies after the seventh or eighth year and then enter university and whether there were special schools for gifted children and, if so, what were the procedures for entering such schools.

12. With respect to the section on the improvement of the material conditions of the teaching staff, he wished to know more about the pension scheme for teachers and whether they were able to retire earlier than other workers. For instance, in the German Democratic Republic, teachers became eligible for pensions five years before other workers. That was an indication of the high regard in which teachers were held in the German Democratic Republic.

13. He was satisfied with what the Finnish representative had said about the right of minorities to take part in cultural life. However, he wished to know more about how the library system was organized in that regard. He also wished to know more about the cultural activities of the civic colleges and workers' institutes.

/...

14. Mr. TEXIER (France) said that a balance should be struck between the two extremes of the excessively lengthy Canadian report (E/1980/6/Add.32) and the short Finnish one. The latter was mostly a list of regulations governing the implementation of the Covenant. In addition, it referred to the publication Educational Development in Finland 1978-1981, which was not available to the Working Group. He believed that Finland was in fact implementing the Covenant, but it was not enough merely to state that. More details should be given, for example, on the percentage of the national budget devoted to education.

15. With respect to article 13 of the Covenant, it would be useful to have more information on the insufficiency of openings in particular vocational institutions in the technical, commercial, agricultural and forestry fields (sect. I D (4) of the report). With respect to minorities, the report stated that there were no discrimination problems in making higher education equally accessible to all. However, some statistical data on education according to ethnic origin would have been useful. The same applied to section I G on the development of a system of schools, in which it was stated that the greatest problem was related to the allocation of resources for the development of the educational system.

16. With respect to the right to choice of school, it would be interesting to know the basis on which subsidies were granted to public and private schools and whether tuition fees were the same in the two types of institutions. Furthermore, although the report stated that there were no special problems in connection with the promotion of the principle of compulsory education, free of charge for all, he would have liked to have seen more information in that regard.

17. With respect to article 15 of the Covenant, he wished to have more information concerning the direction and the function of the state arts committees, which were carrying out a general reform to ensure the enjoyment of the right to take part in cultural life.

18. More details would also be welcomed with respect to the promotion of scientific societies (sect. III E). Finally, the report made no mention of article 15, paragraph 1 (c), of the Covenant and he would like some information in that regard.

19. Mrs. JIMENEZ BUTRAGUEÑO (Spain) said that the report provided more information on the cultural aspects than on the educational aspects of the implementation of the Covenant. She would like to have more information on the training of adults and hoped that the statement by the representative of Finland together with the publication Educational Development in Finland 1978-1981 could be made available to the Working Group.

20. Mr. KANEKO (Japan) said that the concise report of Finland, although only 12 pages, was fully in line with the guidelines for the preparation of reports. However, he had difficulties in reading the report because of the references to legal acts and other publications the texts of which were not available to the Working Group.

(Mr. Kaneko, Japan)

21. He also wished to know why, since there were no special difficulties affecting the degree of realization of the right to primary education (sect. I C), regional and sexual equality had been difficult to achieve.

22. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that the length of a report was not necessarily commensurate with its quality. Governments should submit condensed reports both to facilitate the task of the experts and because of the financial consequences of lengthy documents. He therefore welcomed Finland's report, which had taken into account the wishes expressed by the Economic and Social Council.

23. Finland, which had a market economy, had been struck by a serious economic crisis but, unlike other countries, had been taking measures to improve the social situation, both through legislation and in practice, and to guarantee economic and social rights, particularly those embodied in the Covenant. Those measures constituted an important aspect of the domestic activity of the Finnish Government and were especially commendable in view of the current international economic situation.

24. He requested additional details about the reform of the entire secondary-education system, how it would be carried out and what effect it would have on the other parts of the educational system. He noted with satisfaction that secondary education was provided free of charge. He also requested additional information on the different measures taken to overcome the difficulties encountered in achieving equality between the sexes in vocational institutions (E/1982/3/Add.28, sect. I D, paras. (2)-(4)).

25. Referring to the establishment of an adequate fellowship system (sect. I H), he asked for additional details about the measures being taken to solve the problem of insufficient funds, not only by the Government but also within the various organizations concerned.

26. He also noted with satisfaction that the right to choice of school had been put into practice through the establishment of foreign-language schools (sect. I J), which also helped to ensure the prevention of discrimination. In that connection, he requested additional details regarding the instruction provided in the languages of the minority groups.

27. Mr. MITREV (Bulgaria) observed that the report reflected the impressive achievements made in implementing the Covenant in Finland, particularly for a country having a private economy. However, he agreed that more precise data, with statistics, should be included in future reports. He commended the fact that the aims of the decree on the comprehensive school included the provision of instruction with a view to international co-operation and the promotion of peace, and equality between the sexes. That approach was consistent with the approach adopted by both the United Nations and UNESCO and would produce very beneficial long-term results, particularly in the contemporary world.

/...

(Mr. Mitrev, Bulgaria)

28. Referring to section I D (4) of the report, he asked what kind of difficulties had been encountered in achieving regional equality and equality between the sexes, which types of vocational training had been affected and how the choice of occupation was thus affected.

29. In connection with section I E (2), he requested additional details about the system for the provision of financial assistance, about the amount of such assistance, how it compared to the general income of the population and what criteria were used in awarding it.

30. Referring to freedom of religion in the context of education (sect. I J (2)), he requested additional information, including statistics, on the number of students who were exempted from religious instruction or who participated in instruction in other denominations.

31. With regard to the activities of public libraries, he asked how the system functioned in Finland, how widespread it was and how many inhabitants there were per library (sect. III A (1)).

32. In conclusion, he asked whether artistic associations were able to influence State policy on questions related to the arts, what the relationship was between them and the administrative bodies, for example in the appropriation of budgetary means, and what provision had been made to enable such associations to participate in the administration of culture at all levels.

33. Mr. JEMAIEL (Tunisia) said that he supported the questions asked by the expert from France. In addition, he asked why the foreign-language schools, which, in a legal sense, acted as private institutions and were thus part of the official school system, did not have the right to award certificates (sect. I J (1)). He also asked what efforts the Finnish Government was making to deal with the problem of enabling vocational school graduates to find job openings (sect. I D (2)).

34. Mr. JATIVA (Ecuador) said that he agreed with the expert from Spain about the need to provide the Working Group with a copy of the Finnish representative's introduction and of Educational Development in Finland 1978-1981.

35. In addition, he asked whether higher education was free of charge for foreigners and whether a quota had been established for the admission of foreigners to higher-education institutions.

36. In conclusion, he noted with satisfaction the extensive implementation of article 15 of the Covenant in Finland.

37. The CHAIRMAN, speaking as the expert from Denmark, agreed that a copy of the Finnish representative's introduction would add a great deal, particularly to the understanding of the first part of the report.

/...

(The Chairman)

38. Referring to the implementation of article 15, he requested specific figures on the size of the cultural budget and its proportion of the total budget. He also asked for additional information concerning the overall reform of the legislation relating to radio and television activities.

39. With regard to higher education, he asked whether a quota system or other limitation on admission had been established in the long-term planning carried out by higher-education institutions.

40. He supported the question asked by the expert from Tunisia as to why private secondary schools could not issue diplomas for admission to higher-education institutions, particularly since they worked according to the same principles as public schools with respect to teacher competence, remuneration and curricula.

41. Ms. Wartioraava and Mr. Rusi (Finland) withdrew.

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

Report of Venezuela (E/1984/6/Add.1 and Corr.1)

42. At the invitation of the Chairman, Mrs. de Rodríguez (Venezuela) took a place at the table.

43. Mrs. de RODRIGUEZ (Venezuela), introducing her country's initial report, explained that the right to work was systematically ensured through a wide range of laws and regulations, and that provision had been made to improve the material, moral and intellectual situation of all workers.

44. As an economically attractive country, Venezuela's demand for skilled labour and its ability to absorb manpower had grown considerably, and it had therefore been able to keep unemployment at a manageable level. For example, the unemployment rate for 1980, totalled only 6.2 per cent, for a labour force of 4.5 million persons. However, it was expected to increase to 8 per cent in the near future under the effects of the current economic crisis.

45. The State employed approximately one third of the country's labour force and did its utmost to ensure that both internal and external economic factors had a minimum effect on the national development process. For example, as part of the recent economic emergency measures, the Government had asked all private enterprises to increase their staff by as much as 10 per cent. The principle of protecting the interests of all sectors of society was reflected in far-reaching commitments between workers and employers and between both of them and the Government, with the long-term goal of ensuring a fair distribution of income and social stability and harmony.

(Mrs. de Rodríguez, Venezuela)

46. The legislation governing working conditions recognized the right of every worker to equitable and satisfactory conditions of work. It laid down, in keeping with the Covenant, that such conditions must ensure fair and equal remuneration, safe and healthy working conditions, equal opportunity, training facilities and other possibilities with a view to revitalizing the productive apparatus while focusing, first and foremost, on the well-being of the workers and their families.

47. The social claims of Venezuelan workers were protected through hundreds of primary trade unions, federations and four major workers' confederations, which operated freely under different ideological and political banners. The right to organize was among those gains which had been most actively promoted following the end of the dictatorship. The Confederation of Venezuelan Workers, the largest in the country, brought together the most representative sectors of the working class and played an active role in decision-making.

48. Social security had first been introduced as a private institution, but had gradually become a public service. Venezuela was striving earnestly to extend the social-insurance system to all areas of the national territory and was constantly endeavouring to streamline administrative procedures with a view to reducing costs and thereby increasing the benefits available.

49. Mr. Mitrev (Bulgaria) took the Chair.

50. Mr. BAYONA (Peru) said, with reference to paragraphs 6 and 7 of the report, that he would appreciate statistics on the number of skilled and unskilled workers constituting the country's manpower resources.

51. Mr. TEXIER (France) said that the introduction by the Venezuelan representative usefully complemented the report. He felt that there was not sufficient detail regarding the manner in which articles 6 to 9 of the Covenant were implemented. While he was aware of the difficulties involved in preparing an initial report - indeed, the Venezuelan Government deserved praise for its effort - he felt that additional statistical data should have been provided and that more examples should have been given to illustrate statements made.

52. With regard to article 6 of the Covenant, concerning the right to work, he would have welcomed an explanation as to how article 84 of the Constitution, which recognized that right, was implemented. He had found the statement in paragraph 6 surprising, and therefore welcomed the fact that in her introductory statement the Venezuelan representative had provided figures on unemployment in Venezuela. Wherever possible, reporting States should provide such statistics.

53. He would appreciate further details concerning the content of training courses for workers, particularly whether they were offered in all vocational sectors, whether they were ongoing in nature and whether they were given during the work day.

(Mr. Texier, France)

54. With regard to article 7, concerning the right to just and favourable conditions of work, he wished to know what the current minimum wage was, how the figure had evolved in recent years, what the role of the Government, trade unions and owners' groups was in establishing the minimum wage and how the requirement that employers must pay the minimum salary was enforced. He would also appreciate details concerning the measures taken to eliminate practices which violated the principle of equal pay for equal work. On the question of safe and healthy working conditions, he wished to know what was being done to resolve the industrial safety problem mentioned in paragraph 33. He wondered whether labour legislation punished contraventions of safety regulations, whether the established norms were enforced by the courts and whether trade-union committees in companies could monitor their enforcement.

55. With regard to article 8, concerning trade-union rights, he requested further details concerning the number of trade unions and the manner in which they were organized. He also wished to know whether they were affiliated with any international trade-union organizations. Regarding the right to strike, he inquired whether, in law and in practice, the protection of strikers and trade union representatives was guaranteed and whether there were regulations preventing the punishment of persons who went on strike or incited others to strike.

56. With regard to article 9, concerning the right to social security, he felt that the fact that 48.8 per cent of the Venezuelan population was covered by social security was inadequate. He wished to know how social-security coverage was organized, for example, whether allowances were paid only to the worker, or to the spouse and minor children as well.

57. Mr. KORDS (German Democratic Republic) said that, although he would have liked to see more statistics in the report, he fully appreciated the effort which the Venezuelan Government had demonstrated in preparing its initial report.

58. With regard to paragraph 4, he would appreciate further information concerning the efforts of the Department of Economy and Employment and its Technical and Professional Division to safeguard the right to work. With regard to technical and vocational training, he would like additional information concerning the work of the National Training Institute, particularly regarding the entire scope of training, whether training was free of charge, whether it was offered outside normal working hours and what the opportunities were for workers to participate.

59. In connection with article 7, concerning the right to just and favourable conditions of work, he wished to know the composition of the "non-unionized sectors" referred to in paragraph 19. He also wondered what the minimum wage was and to what sectors it applied. With respect to paragraph 25, he wished to know how foreign corporations operating in Venezuela implemented articles 6 to 9 of the Covenant. He also inquired what the ratio was between nationally-owned companies and privately-owned companies. With regard to paragraph 26, he wished to know the reasons for the remaining forms of discrimination against women workers and what was being done to combat such discrimination. On the question of safe and healthy working conditions, he wished to know how trade unions assisted in ensuring that such conditions existed.

/...

(Mr. Kords, German Democratic Republic)

60. With respect to paragraphs 36 to 40 of the report, he would appreciate further information concerning the background to and the provisions of the Labour Act. He also wondered how many employees were covered by the measures enumerated in paragraph 39.

61. With regard to article 8, concerning trade-union rights, he would appreciate an overview of the rights and duties of trade unions, as well as an indication of the extent of their influence on policies and practices.

62. With respect to article 9, concerning the right to social security, he said that additional statistics concerning the social insurance system as a whole would help to elucidate the statements made in the relevant section of the report.

The meeting rose at 1.05 p.m.