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

SUMMARY RECORD OF THE 2nd MEETING

Held at Headquarters, New York,
on Tuesday, 19 April 1983, at 10.30 a.m.

Chairman: Mrs. KUROKOCHI (Japan)

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The meeting was called to order at 10.50 a.m.

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

Reports of the Syrian Arab Republic (E/1978/8/Add.25 and 31)

1. At the invitation of the Chairman, Mr. Salloum (Syrian Arab Republic) took a place at the table.
2. Mr. SALLOUM (Syrian Arab Republic), introducing his Government's reports (E/1978/8/Add.25 and 31), said he hoped that his statement would supplement the reports and anticipate some of the questions which might have occurred to members.
3. The population of the Syrian Arab Republic was 9 million, its population density was 50 per square kilometre and its surface area was 158,180 square kilometres.
4. In spite of the serious difficulties encountered by his country since the Zionist usurpation of Palestine in 1948 and as a result of the ongoing expansionist war of aggression in the occupied Arab territories, it had made great advances in a variety of fields of which its masses could be proud and in which they could rejoice. Planning continued to address itself to economic issues primarily through the assessment and mobilization of the human and material resources available, their allocation to the various economic sectors and their full and optimal use. Accordingly, the fifth five-year plan, for the period 1981-1986, was based on the concept that development was an instrument for the attainment of human well-being and the raising of material, social and cultural levels and that, in order to expedite the achievement of those goals, it would be necessary to expedite the implementation of measures for socialist transformation and socialist construction. Among the basic objectives of the plan were the equitable distribution of national income in order to ensure a better life for the toiling masses and the achievement of far-reaching and rapid development in the agricultural sector, rural development being considered the primary task of all economic and social planning.
5. The twentieth General Congress of the Confederation of Trade Unions in the Syrian Arab Republic, held in November 1982, had been the culmination of a period of action, struggle and building up of economic strength. The membership of the Confederation had grown to 400,000; the number of unions had increased from 179 in 1978 to 181 in 1982 and the number of union branches from 1,052 to 1,286. For the Congress, 30,000 workers had exercised the right to stand as candidates for 9,512 union posts and, nation-wide, 365,543 workers, of whom 30,226 had been women, had exercised the right to vote. Working women had enthusiastically assumed their responsibilities and exercised the right to stand for election and to vote which their presence in the workplace conferred upon them. There were 599 women in various union posts. Under the terms of Legislative Decree No. 30 of 17 September 1982, the membership of the General Congress of the Confederation of Trade Unions had been increased from 190 elected deputies to 301, in view of the expansion of the working population, the growing number of skilled workers and the

(Mr. Salloum, Syrian Arab Republic)

need for better representation for most sectors. Interest was now being directed towards the establishment of a special secretariat within the trade union movement to act on behalf of working women so as to ensure the realization of their social and developmental aspirations.

6. During the period 1978-1982, emphasis had been placed on the implementation of a group of service-related projects, in particular the construction of rest and recreation centres for workers throughout the country. Most of the workers' complexes, which were integrated and self-sufficient residential areas in the provinces, had been completed, 13 million Syrian pounds having been allocated for that purpose in the fifth five-year plan as against 5 million in the fourth plan. Social, cultural and sporting clubs had been established in such complexes in most provinces.

7. More workers' pharmacies and health centres had been opened, the number of workers' pharmacies providing drugs at nominal prices having increased from 13 to 20.

8. The nursery experiment had been expanded, with 16 nurseries opened by 1982 and an additional 700 children absorbed in comparison with the 1978 figure. Intensive efforts were being exerted to make such nurseries more widely available.

9. Numerous consumer co-operatives had been opened in the cities and in some of the workers' housing projects, their number having increased to 25 by 1982. Ninety-nine consumer shops had been opened by companies and institutions and another 44 were in the course of being set up. That experiment was meeting with great success and was greatly appreciated by the workers.

10. In the field of health services, 10 new workers' clinics had been opened by 1982, bringing the number of such clinics to 19. A range of specialized services had also been introduced in the clinics and their equipment had been modernized. More than a million workers now benefited from such clinics.

11. One hundred and forty-one social assistance funds had been established up to 1982, with the result that 80 per cent of the unions now had such funds and there were 217,000 potential beneficiaries. Total disbursements from such funds for assistance to workers had amounted to 65 million Syrian pounds by the end of 1982. Fifty-six workers' cafeterias and 46 clubs serving meals to workers at cost price had been opened.

12. In the fifth five-year plan, 150 million Syrian pounds had been allocated for the construction of 5,000 housing units. Work had begun on the construction of 1,800 housing units near the industrial installations at Damascus, Homs, Hama, Aleppo and Tartous. A contract had been concluded with a firm of housing consultants for a study of 8,000 housing units, many of which would be constructed during the period of the fifth five-year plan. By the end of 1982, almost 100 million Syrian pounds had been spent on the construction of workers' housing. The Social Insurance Institution had also contributed to the provision of workers' housing, having been responsible for the construction of 758 residential units up to the end of 1982. The General Confederation of Trade Unions had undertaken to

(Mr. Salloum, Syrian Arab Republic)

dispose of those units at cost price and on 20-year mortgages. The number of workers' co-operative housing associations had increased from 60 to 80 between 1978 and 1982; they had completed construction of 6,847 residential units, and work was in progress on 1,833 others.

13. Like any other large-scale undertaking, the development process in his country sometimes encountered difficulties resulting from internal and external factors such as inflation, rising prices and mistakes. The working class and its trade union organization were active and responsible partners in the formulation and implementation of development plans and in economic management. Trade union activity in that field was reflected in direct participation in the Wage and Price Stabilization Commission. The Commission for the Rationalization of Imports, Exports and Consumption, in which trade unions also actively participated, had adopted a number of important measures, prohibiting the import of luxury goods, suspending or restricting the import of other goods, limiting imports of some goods to certain public bodies, adopting precise priorities for imports in order to avoid waste, and ensuring equitable distribution. Unions also played a part in the Commission on Waste in the Economy and in Society, which had held numerous meetings and had prepared the necessary studies for the holding, in 1983, of a national seminar on waste and its elimination. Likewise, trade unions participated in the Central Committee on the Application of the Incentive System, which considered and approved studies on the application of that system in the various sectors of the economy. The trade union movement attached the greatest importance to the incentive system, considering it a most progressive measure for the mobilization of potential capacities and their optimal exploitation and a qualitatively important step towards linking wages and production and increasing initiative among workers.

14. The trade union movement was also active, through the Productivity Councils, in promoting the adoption and development of democratic management in enterprises in the public sector in order to meet the aspirations of workers and their trade union organizations for increased participation in all aspects of work and production.

15. Over the past decade, great advances had been made in the progressive elaboration of labour legislation. Draft laws were now under study by the relevant committees, with the positive and effective participation of the trade union movement. Examples were the Unified Labour Code under discussion in the People's Council and the Social Insurance Act. Over the next few years, some of the laws at present in force, which left loopholes that had been exploited in a manner not in keeping with the socialist line, would be reviewed.

16. Workers' education occupied a prominent place in the development of the class consciousness and patriotism of workers and their commitment to the interests of the masses and the issues crucial to the nation. Great attention had been paid to the educational institutions belonging to the trade union movement, which helped to educate and train trade union cadres. Between 1978 and 1982, 426 students had graduated from the Central Higher Trade Union Institute, 110 of them being from other Arab countries and 316, including 79 women, from within the country. The period of study was nine months and all expenses were borne by the trade union movement. Between 1978 and 1982, Institutes in the provinces had graduated 7,010 workers, 854 of them women, from 309 courses of study.

(Mr. Salloum, Syrian Arab Republic)

17. Particular attention had been paid to the workers' theatre, which was seen as a serious and purposeful undertaking. A number of theatrical groups had been established and drama festivals had been held. Between 1978 and 1982, such groups had presented 46 theatrical works in addition to performances of a folkloric nature. In sports, 13 workers' clubs had been formed.

18. There was now a pressing need for a review of all social legislation, particularly labour and civil service laws and the social insurance laws. The Government had drafted a basic law for State workers and workers in the public sector, which was still under discussion in the People's Council. In 1982 a committee had been set up, under the chairmanship of the Minister of Social Affairs and Labour and including representatives of the Confederation of Trade Unions, the General Union of Peasants and the Union of Professional Workers, to prepare a new draft social insurance law which would serve the interests of the masses. The new law would extend coverage to all workers without exception. A balance would be struck between social and economic objectives, thereby serving society as a whole and promoting both economic and social growth. Social insurance legislation would be unified and placed on a common basis for all State workers and workers in the private sector. Attention would be paid to developments in such legislation throughout the world, and they would be reflected in increased insurance benefits.

19. The law regulating agricultural relations, promulgated in 1958, had been amended in 1963 and 1979 with the aim of removing all loopholes. That law had had an economic impact on the peasants by establishing their share of agricultural production, providing them with stability, discouraging migration from rural areas and creating employment opportunities. It had also determined working conditions for agricultural workers, set a minimum wage for them and provided them with housing.

20. The President of the Syrian Arab Republic had declared before the Emergency Conference of the General Union of Peasants in 1979 that any resolution adopted by the peasants at their conferences relating to land and agriculture would become law, and that the same was true with respect to workers. He might add that, in accordance with the Syrian Constitution, one half of the members of the People's Council were workers and peasants.

21. Mr. FUJII (Japan) said that failure of States parties to the Covenant to submit reports should not be taken lightly, since the credibility of those States could thereby be jeopardized. While there were justifiable reasons for the delay in the consideration of the reports of the Syrian Arab Republic, an attempt should nevertheless be made to minimize such delays. All States parties whose reports were due for consideration by the Working Group should submit them as soon as possible. The Secretariat should take appropriate measures to ensure that reports were considered in the order in which the Covenant was ratified or acceded to by States parties.

22. With regard to the reports of the Syrian Arab Republic on the implementation of articles 6 to 9, he had the general impression that the situation would have been much clearer if more statistics had been provided. For example, in document E/1978/8/Add.31, where, under article 6, the manner in which the placement agencies

(Mr. Fujii, Japan)

carried out their duties was explained, it would be helpful to know the percentage of the total potential labour force registered at the office of the Ministry and the number of persons actually provided with jobs.

23. With regard to article 8, concerning trade union rights, he would like to know what percentage of the labour force was organized. It would also be of interest to know whether the laws and regulations concerning the rights covered by articles 7, 8 and 9 applied to the whole labour force, including self-management workers. If not, what categories of workers were covered by those laws and regulations? Article 8, paragraph 1, of the Covenant, had four subparagraphs, and the report should have addressed itself to all four of them. He would like to know whether non-members of the Co-operative Peasants' Association were guaranteed the rights covered by article 8.

24. The representative of the Syrian Arab Republic had referred to difficulties in connection with his country's development programmes. In present economic circumstances, unemployment was a serious problem in many countries. If there was such a problem in the Syrian Arab Republic, he would appreciate a detailed explanation; if there was not, he would welcome an explanation of how the Government had overcome the problem.

25. Finally, in accordance with the guidelines contained in document E/1978/8, he would like to ask about the difficulties encountered by the Government in implementing each of the articles, and would be grateful for any statistics that were available.

26. Mr. KORDS (German Democratic Republic) said that, with document E/1978/8/Add.31, the Working Group was now in possession of the additional information it needed in order to assess the implementation of the relevant articles of the Covenant by the Government of the Syrian Arab Republic in accordance with its economic and social capacities. Under article 6, for example, the report gave details of the measures taken to ensure high economic efficiency through methods of manpower planning. Mention was made, in particular, of non-entry of the 10-14 year age group into the labour market and increased participation of women in the labour force. The Syrian Arab Republic was a country rich in tradition that was attempting to introduce modern industry and agriculture, and he would like to know what concrete measures had been taken by the Government to ensure the growing participation of women in that process.

27. With regard to article 9 of the Covenant, concerning the right to social security, he would like to know what was done to guarantee that female industrial workers would, after childbirth, remain employed on a full-time basis, in addition to the measures mentioned in the report. If women workers, especially in industry, could hold part-time jobs, he would appreciate figures concerning such employment.

28. Mrs. de los ANGELES GIMENEZ BUTRAGUEÑO (Spain) asked whether the participation of women in the Syrian labour force had increased since the report was completed, what its sectoral distribution was and whether some types of work were closed to women. She also asked for further clarification of the statement, in document E/1978/8/Add.25 that Decree-Law No. 112 gave workers the right to a share of the

(Mrs. de los Angeles Gimenez
Butraqueño, Spain)

profits of companies in the private sector. Lastly, in view of the statement in connection with article 8, that the Syrian Constitution authorized demonstrations within the limits of the law, she wondered whether strikes were permitted.

29. Mr. TEXIER (France) also asked for more information about the legislation governing strikes and for the available statistics concerning child labour. He noted that efforts were being made to reduce the entry of the 10-14 year age group into the labour market, but wondered what the position was with regard to young people between the ages of 14 and 16. In many States, only persons over the age of 16 were allowed to enter the labour market.

30. Mrs. KOLAROVA (Bulgaria) said that she had been particularly impressed by the information provided on the Co-operative Peasants' Association and by the fact that the authorities had given serious attention to the suggestions and comments of the Committee of Experts. She wondered whether the draft act referred to on page 8 of document E/1978/8/Add.31 had been completed, and what the prospects were for its adoption. She also asked what proportion of peasants were organized in the Association.

31. Mr. BENDIX (Denmark) noted with satisfaction that legislation was under consideration to provide Syria with a unified code governing social security and insurance, and asked for more specific information on that legislation and any changes that had already been made in regard to disability payments, maternity leave and, in particular, unemployment insurance. He would also like more detailed figures for the labour force as a whole, including the number of children between 10 and 14 years of age currently employed and the distribution of male and female workers by industrial subcategory. He found it somewhat difficult to reconcile the provisions regarding promotion and wage increases described under article 7 in document E/1978/8/Add.31 with the contractual freedom referred to under article 6 in document E/1978/8/Add.25. Regarding social security, he noted that the rights of female workers to maternity leave were different in the industrial and the agricultural sectors. Lastly, he asked when old age insurance came into force for both men and women workers.

32. Mr. SOFINSKY (Union of Soviet Socialist Republics) said that, in discussing and considering the reports of the Syrian Government on the rights set forth in articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights, account must be taken of the fact that for 35 years Syria had been the target of aggression and that for more than 20 years a part of its territory had been occupied. A large proportion of Syria's human and material resources had had to be diverted to contend against that continuing aggression. In the circumstances, the successes achieved in implementing those articles of the Covenant were even more striking. A minimum wage level had been established by law and protection had been provided against arbitrary dismissal. Legislation had also been adopted requiring part of the profits of private companies to be shared with the workers, while the provisions governing annual leave and maternity leave, for example, compared favourably with those that existed in many highly developed countries. He was also impressed by the Government's obvious determination to achieve further progress along the lines that had been suggested by the Committee

(Mr. Sofinsky, USSR)

of Experts. He noted the importance attached in the reports to the State sector and to agricultural co-operatives, and asked whether it was the Government's intention to expand those sectors still further.

33. Mr. BOUZIRI (Tunisia) said it was clear from the reports and from the statement of the Syrian representative that the Government had made a great deal of progress in respect of the matters covered by articles 6 to 9 of the Covenant, especially in the agricultural sector. He would, however, like more information about trade unions. In Tunisia, all trade unions formed part of a single organization, the General Confederation of Tunisian Workers, and he wondered whether there was a similar organization in the Syrian Arab Republic. He also asked whether the right to strike was officially recognized in Syria and, if so, whether any limitations had been placed on it by legislation.

34. Mr. SALLOUM (Syrian Arab Republic) said that, as a result of the Zionist entity's usurpation of Palestine in 1948 and the aggression suffered by his country since that time, economic and social development in Syria had faced many difficulties, both internal and external. Much of the country's wealth and manpower had had to be diverted to defence against Zionist aggression supported by imperialist forces. Nevertheless, great progress had been made in all sectors. Many of the questions asked by the members of the Working Group, particularly those regarding the status of women, would be answered if they were able to visit the country.

35. He trusted that, in future, his Government's reports on the implementation of the International Covenant on Economic, Social and Cultural Rights would be submitted regularly, and he assured the Working Group that the Syrian Arab Republic had always been and still was committed to the Covenant's provisions.

36. He thanked those members of the Working Group who had expressed appreciation of the Syrian reports and regretted that he could not immediately provide some of the statistics asked for, although he hoped to do so at a future date. The right to work was set forth in the Syrian Constitution, article 36 of which stipulated that work was a right recognized for all citizens, as well as a duty, and was guaranteed by the State. Other constitutional provisions guaranteed every citizen remuneration according to his work and governed such matters as hours of work and social security entitlements. Decisive progress had been made between the nineteenth Congress of Trade Unions and the twentieth Congress in 1982. Placement agencies, where unemployed workers could go to find jobs, had been set up throughout the country. The principles and arrangements governing those agencies were described in detail in document E/1979/8/Add.31.

37. A number of questions had been asked about trade unions. The Ministry of Labour had recently formulated, in consultation with the workers, a set of labour guidelines, section IV of which concerned the role and activities of trade unions. Chapter I of that section contained general provisions regarding trade union membership, and article 2 stipulated that any group of more than 50 workers was entitled to form a trade union committee which would constitute a subgroup of the union for the industry concerned. Together, the various unions formed the Confederation of Trade Unions.

(Mr. Salloum, Syrian Arab Republic)

38. He hoped to be able to provide copies of the new Labour Code in English in the near future. The unified Code now under study in the People's Council would, when it was issued, provide answers to all the questions that had been asked. It contained a number of paragraphs on the objectives of trade unions in the Syrian Arab Republic. The first objective was the attainment of the aspirations of the Arab nation for unity and socialism. Others were the protection of labour and production, participation in the training of specialized manpower, protection of the material and social interests of the workers, the introduction of progressive and socialist initiatives in labour matters and the reduction of bureaucracy.

39. According to the provisions of article 18 of the Code, a trade union was a legal entity with the right to own the funds and property required to guarantee the attainment of its objectives, and to conduct negotiations and enter into collective agreements with employers on behalf of its members. Unions were also entitled to establish savings funds, co-operative associations and sporting, artistic and cultural organizations. In addition, they had the right to establish housing units and recreational areas for workers, to invest their funds in the industrial or financial sectors under conditions defined by the Ministry of Labour, and to issue publications.

40. Article 19 of the Code stipulated that the property and assets of trade unions could not be confiscated, while chapter 3, which governed the status of members and associated members of trade unions, stated that all Arab workers over the age of 15 were free to join the union appropriate to their occupation but could not join more than one union. Article 25 provided that apprentices could join trade unions and that retired and unemployed workers could maintain their membership. Foreign workers who had been in the country for more than a year were entitled to join a trade union appropriate to their occupation.

41. In reply to a question raised by the representative of Japan, he said that, while he had no exact statistics, he could state that the unemployment rate in the Syrian Arab Republic was extremely low.

42. He stressed that Syrian women played a role in all areas on an equal footing with men and contributed to the struggle for internal development and freedom. They participated in all trade unions and in public institutions, including the People's Council. They had proved their ability to perform very arduous tasks, as could be seen from the number of female students at military academies. No distinction was made between men and women with respect to employment. Married women were provided with every possibility to continue working, and nurseries and kindergartens had been established to take care of their children free of charge. In addition to maternity leave, a woman who returned to work after giving birth was entitled to two free hours per day to nurse and care for her child.

43. Where the employment of young people was concerned, he again had no exact statistics, but he knew that the situation varied according to conditions of work involved and type of occupation.

44. With respect to the right to strike, the Constitution of the Syrian Arab Republic guaranteed every worker the right to express his views by all means and to

(Mr. Salloum, Syrian Arab Republic)

participate in constructive criticism aimed at promoting national construction and the consolidation of socialism. Freedom of the press and other publications was guaranteed. Article 39 of the Constitution gave citizens the right to associate freely and to demonstrate peacefully in keeping with the principles of the Constitution. He stressed that Syrian workers made their own decisions regarding work and participated actively and constructively in planning the country's economy. One half of the members of the People's Council represented industrial and agricultural workers.

45. A new draft law on social security was currently before the People's Council, and he hoped that it would soon be adopted. Under that law, insurance coverage would be extended to agricultural workers in the private sector whose contracts were permanent and were registered with the Ministry of Labour. Accident insurance would be extended to cover members of the Confederation of Revolutionary Youth who had volunteered for work, leaders of people's organizations and all students whose school programmes required practical training. Workers and all members of their families, including domestic workers who had more than one employer, would be covered under the new law. Old age insurance was to be extended to those who worked in establishments employing less than five persons. Syrian workers employed abroad other than those sent on mission by the Government could opt to be covered by the social security scheme. Accident insurance was to be extended to cover accidents caused by fatigue which resulted in disability or death and accidents occurring during free time granted by an employer during normal working hours. The definition of total disability was to be lowered from 80 per cent to 70 per cent. Accident insurance benefits for accidents resulting in unemployment would cover the entire period of unemployment, whereas under current legislation they were payable only during the first year. The total amount of invalidity, survivors' and old age pensions would also be increased, and workers would be entitled to benefits for total or partial disablement resulting in retirement.

46. Turning to the role of the private sector, he said that his country engaged in scientific and socialist planning, which it considered to be the only solution to the economic and social problems facing it. The public sector was very important in all areas, and under the current five year plan its role in socialist and economic construction was being promoted. However, the private industrial and agricultural sectors were also encouraged, as long as they contributed to the implementation of economic development programmes and to the promotion of the role of the public sector.

47. Mr. ALKALBASH (Libyan Arab Jamahiriya) said that he appreciated the efforts of the Syrian Arab Republic to guarantee the right to work, to improve the health and social security benefits of all workers and to advance the economic and socialist development of the country despite the problems caused by the criminal activities of the Zionist entity following its occupation of part of the national territory. Through its strength and resolution, the Syrian Arab Republic had developed and guaranteed economic and social rights despite the circumstances imposed by zionism and imperialism. He congratulated it on its excellent reports.

48. The CHAIRMAN said that, if there was no objection, she would take it that the Working Group had concluded its consideration of the report of the Syrian Arab

(The Chairman)

Republic (E/1978/8/Add.25 and 31), on the understanding that information requested by members of the Working Group but not provided would be communicated at a later stage.

49. It was so decided.

50. Mr. Salloum (Syrian Arab Republic) withdrew.

OTHER MATTERS

51. Mr. AGBASI (Secretary of the Working Group) recalled that, at the preceding meeting, the Working Group had requested the Secretary-General to provide press coverage of its session. In reply to that request, the Director of the Press and Publications Division of the Department of Public Information had sent him a memorandum regretting that, owing to budgetary constraints and lack of staff, the Press Section of the Department of Public Information was unable to provide such coverage. The Department had been forced to reduce coverage of some bodies and eliminate that of others because funds for the temporary assistance that had made possible the coverage of practically all United Nations bodies had been exhausted for the current biennium. The changes in coverage had been announced in a note to correspondents dated 16 March (Note No. 4350), a copy of which was before the Committee and which stated, inter alia, that coverage had been eliminated for all working groups.

52. The memorandum pointed out that the decision not to cover any working group had been forced upon the Department of Public Information; given a situation in which temporary assistance was no longer available, it had not been possible to stretch the small number of permanent coverage staff beyond a certain point. Accordingly, the Director of the Press and Publications Division had assured him that the decision did not imply any judgement as to the value of the Working Group's work. The monthly UN Chronicle and the Yearbook of the United Nations and other means would be used to communicate the work of the Working Group, which, the memorandum concluded, was of great importance in the overall human rights activities of the United Nations.

53. Mr. SOFINSKY (Union of Soviet Socialist Republics) said that he was not satisfied with the reply provided by the Director of the Press and Publications Division. The recent session of the Human Rights Committee had been given extensive press coverage, and he could not understand why the Working Group, which was also responsible for monitoring the implementation of an International Covenant, should be treated differently.

The meeting rose at 1.05 p.m.