

The Committee's concluding observations and comments (E/C.12/1/Add.13) welcomed efforts to develop a state based on the rule of law as well as the planned reform of a whole range of institutions which are engaged in the delivery of social welfare services.

The Committee viewed positively: the substantial decrease in the rate of inflation; the fact that the decline in gross domestic product appears to have been stopped and some sectors of the economy are beginning to grow again; the efforts under way to improve the system of taxation and tax collection; the fact that the new Labour Code was inspired directly by provisions of the Covenant, as well as other international instruments, including those of the International Labour Organization (ILO); reform of the Judicial Branch and the 1997 bill to strengthen support to the judiciary; the bill to establish a human rights ombudsman, inasmuch as the protection of economic, social and cultural rights is enhanced; the granting of tax incentives to employers for the hiring of disabled persons to facilitate their access to gainful employment; the development of pluralism in the trade union movement, while recognizing that there are many practical problems to be resolved to enable the new trade unions to function effectively; the assurances given that psychiatric institutions are no longer used abusively; the present official policy of family planning that has led to a decrease in abortions; the efforts undertaken to educate students as to legal remedies available for violations of human rights; and, Russia's support for an optional protocol to the Covenant.

In terms of factors and difficulties impeding implementation of the Covenant the Committee recognized that the government inherited from the former regime an unfavourable framework for the promotion of economic, social and cultural rights and noted with apprehension that the process of transition to a democratic country with a market-based economy is being undermined by the development of corruption, organized crime, tax evasion and bureaucratic inefficiency which has resulted in inadequate funding for social welfare and payment of wages in the state sector.

The principal subjects of concern identified by the Committee were: the indigenous peoples, noting that many of them live in poverty and have inadequate access to food supplies, causing malnutrition; the situation of people for whom the food supply is based on fishing and an adequate stock of reindeer, and who are witnessing the destruction of their environment by widespread pollution; and, reports that the economic rights of indigenous peoples are exploited with impunity by oil and gas companies which sign agreements under circumstances which are clearly illegal, and that the government has failed to take adequate steps to protect the indigenous peoples from such exploitation.

The Committee also expressed concern over: the fact that women appear to be disproportionately affected by unemployment and that little concrete action has been taken by the government to discourage discriminatory dismissal or hiring on the basis of sex or to provide meaningful remedies to the victims of such discrimination; the significant level of domestic violence against women and the hesitation of the police in intervening to protect women or in bringing charges against their aggressors, despite the fact that the criminal law against violence against persons applies to violence against a woman

by her husband; the rapid development of prostitution and the growing phenomenon of street children and their exploitation for criminal and sexual activities; and, the rate of increase in criminal acts by juvenile offenders.

The Committee observed with concern the numerous problems regarding labour regulation and the failure of the government to take adequate steps or devote sufficient funding to find a way of addressing the issues of: dangerous working conditions in many enterprises; use of dangerous and out-of-date technology; lack of protection for workers; excessively long hours of work; the high rate of serious industrial accidents, including an excessive number resulting in death; refusal by some enterprises to compensate workers in cases of workplace injuries; an inadequate system for reporting unsafe conditions and accidents; the absence of a legal framework which protects workers, whether unionized or not; inadequate funding for the labour inspectorate to conduct sufficient labour inspections to deter and sanction non-compliance by employers; the large number of illegal dismissals which in practice are without remedy; the development of large-scale child labour; the refusal of some employers to recognize or deal with new "alternative" unions and the fact that some employers take adverse action, up to and including dismissal, against union activists.

The Committee expressed concern over: the fact that the government is ill-equipped to deal with the problem of unemployment (affecting between three to seven million people); the criteria for eligibility for unemployment benefits, the system for detecting fraudulent benefits applications, and the low amount of such benefits; the failure to develop more fully services to assist the unemployed to obtain employment, including information and retraining services; the non-payment or late-payment of wages, which has led to a large number of strikes, particularly in the state sector; the payment of wages in kind by some employers; the development of poverty, estimated to affect at least 30 per cent of the population; the inability of the government to provide adequate social services and a reasonable subsistence-level revenue to those living in poverty; the lack of financial resources to pay pensioners; impairment of the funding of pensions by the failure of enterprises to make their legal contributions to the pension fund; the fact that the diet of the Russian population, on average, is deteriorating; development of malnutrition and hunger among the poorer segments of the population; the plight of the homeless, families without income, large families, and indigenous people in the northern part of the country where the infrastructure for food delivery is inadequate; and, the high rate of contamination of both domestically produced and imported foodstuffs which, for domestic production, appears to be caused by the improper use of pesticides and environmental pollution through, for example, the improper disposal of heavy metals and oil spills and, for imported food, by the illegal practices of some food importers.

The Committee expressed alarm at: the extent of the environmental problems in Russia; the fact that industrial leakage of harmful waste products is such a severe problem in some regions that they could be correctly declared environmental disaster areas; the curtailment of funds to modernize an out-of-date water delivery system which adversely affects the access of the population to clean water; the re-emergence of