



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Concluding observations on the fourth periodic report of Cameroon\*

1. The Committee on Economic, Social and Cultural Rights considered the fourth periodic report of Cameroon (E/C.12/CMR/4) at its sixth and seventh meetings (E/C.12/2019/SR.6 and E/C.12/2019/SR.7), held on 20 and 21 February 2019, and adopted the present concluding observations at its thirtieth meeting, held on 8 March 2019.

#### A. Introduction

2. The Committee welcomes the submission of the fourth periodic report of Cameroon and the written replies to the list of issues (E/C.12/CMR/Q/4/Add.1), although they were received late. The Committee is appreciative of the dialogue held with the high-level delegation of the State party and the information provided during the discussion. It regrets, however, that the answers to many of its questions, in particular those concerning labour, education and cultural rights, have not been forthcoming, either during the dialogue or in written form thereafter, thus preventing a truly constructive dialogue.

#### B. Positive aspects

3. The Committee welcomes the State party's ratification of the Optional Protocol to the Convention on the involvement of children in armed conflict in 2013. It also welcomes the steps that have been taken towards the realization of the rights enshrined in the Covenant, such as the implementation of the 2014–2017 Decent Work Country Programme; the 2016–2027 Health Sector Strategy and its first action plan; and other initiatives mentioned in the present concluding observations. In view of the security situation faced by the State party, the Committee welcomes the adoption of the 2018–2020 national action plan on Security Council resolution 1325 and related resolutions on women and peace and security; the establishment of a humanitarian response plan covering the period 2017–2020 for implementation in the Far North, North, Adamaoua and East Regions; and an emergency humanitarian assistance plan for the North-West and South-West Regions.

#### C. Principal subjects of concern and recommendations

##### The critical security situation

4. The Committee is concerned by the general lack of security in the Far North Region of the State party, where non-State armed groups have been carrying out terrorist attacks. It is also deeply concerned by the widespread violence being witnessed in the North-West and

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\* Adopted by the Committee at its sixty-fifth session (18 February–8 March 2019).



South-West Regions, where most of the population belongs to the English-speaking community, and by reports that acts of violence leading to the destruction of hospitals, schools and entire villages in those Regions have been committed by non-State armed groups and by members of the State party's security forces. The Committee is concerned about the serious impact of these situations on the enjoyment of the economic, social and cultural rights of the persons concerned, including women, children, persons with disabilities and older persons.

**5. The Committee recommends that the State party:**

**(a) Take steps, as a matter of urgency, to ensure the enjoyment of Covenant rights by the people living in areas affected by violence and a lack of security, particularly in the Far North, North-West and South-West Regions;**

**(b) Conduct thorough, independent investigations into reports of violence and the destruction of hospitals, schools and entire villages, particularly in the North-West and South-West Regions, in order to ensure that those responsible are brought to justice and sentenced to penalties commensurate with the gravity of their acts;**

**(c) Ensure the effective implementation of the humanitarian assistance plans that have been adopted and of the 2018–2020 national action plan on Security Council resolution 1325 and related resolutions on women and peace and security by, inter alia, establishing effective follow-up mechanisms that provide for the participation of the population groups concerned, including women, and by allocating sufficient financial, human and technical resources for their implementation.**

**(d) Make every effort to achieve a peaceful solution to the crisis in the North-West and South-West Regions of the country.**

**Applicability of the Covenant**

6. While noting the information provided by the State party concerning the measures taken to ensure that the provisions of the Covenant can be invoked in the nation's courts of law, the Committee remains concerned at the fact that they have only very rarely been applied by the courts.

7. **Recalling its previous recommendation in this regard (E/C.12/CMR/CO/2-3, para. 7), the Committee calls upon the State party to redouble its efforts to ensure that economic, social and cultural rights can be invoked at all levels of the judicial system and to facilitate access to effective remedies for victims of violations of these rights. In particular, it calls upon the State party to continue to provide training on a regular basis, in particular to judges, lawyers, law enforcement officers, parliamentarians and other stakeholders, concerning the rights enshrined in the Covenant and their enforceability in the courts and to provide rights holders with the information they need to demand that those rights be respected. In this regard, the Committee refers to its general comment No. 9 (1998) on the domestic application of the Covenant.**

**Internally displaced persons**

8. The Committee is concerned about the large number of persons who have been displaced by the widespread violence and security crises in some regions of the State party. It is also concerned about the negative impact of this situation on the affected persons' enjoyment of their economic, social and cultural rights (arts. 2 and 11).

9. **The Committee calls upon the State party to avoid taking measures that could lead to the forced displacement of the population and to take appropriate, reasonable measures to prevent such displacement. The Committee recommends that the State party provide effective protection to displaced persons, refugees and asylum seekers so that they have access to adequate housing, health care, education and social protection, including by seeking support through international cooperation, if necessary. It recommends that the State party do everything within its power to ensure that internally displaced persons are able to return to their home regions safely and with dignity or to offer them appropriate alternatives. The Committee draws the State**

**party's attention to the principles on housing and property restitution for refugees and displaced persons (E/CN.4/Sub.2/2005/17).**

#### **Situation of human rights defenders**

10. The Committee is concerned by reports that human rights defenders, including those working to defend economic, social and cultural rights, operate under restrictive conditions and are often subjected to various forms of harassment or reprisal.

**11. The Committee recommends that the State party provide effective protection to human rights defenders, including those working to defend economic, social and cultural rights, from any and all forms of harassment, intimidation and reprisal and to ensure that perpetrators of acts of this nature are brought to justice. It urges the State party to carry out information and awareness-raising campaigns focusing on the importance of the work of human rights defenders with a view to engendering a climate of tolerance in which they can fulfil their mission without fear of intimidation, threats or reprisals of any kind. The Committee refers the State party to the statement on human rights defenders and economic, social and cultural rights which it adopted in 2016 (E/C.12/2016/2).**

#### **Situation of indigenous peoples**

12. The Committee is concerned at the discrimination and exclusion faced by indigenous peoples in the State party and at the lack of recognition of their rights with regard to access to land, their ancestral territories and natural resources. The Committee is also concerned by reports that the indigenous peoples concerned have not been consulted with a view to obtaining their free, prior and informed consent before development projects are conducted on their lands and in their territories (arts. 1 and 2).

**13. The Committee recommends that the State party:**

**(a) Recognize the rights of the indigenous peoples who live in the State party and take effective steps, in consultation with them, to combat discrimination against them and their exclusion;**

**(b) Protect and guarantee, in law and in practice, the right of indigenous peoples to freely dispose of their lands, territories and natural resources;**

**(c) Ensure that indigenous peoples are consulted with a view to obtaining their free, prior and informed consent to any measures that may affect them, including the implementation of projects on their lands and territories;**

**(d) Consider ratifying the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169).**

#### **Maximum available resources**

14. While it is aware of the security and climate-related challenges faced by the State party, the Committee is concerned at the limited extent to which domestic resources are being mobilized for the realization of economic, social and cultural rights. The Committee notes with concern that, according to information provided by the State party, only a small part of its revenues are derived from taxation and a very large percentage of its taxes are indirect levies, which may limit the State party's ability to reduce its high level of inequality. The Committee is also concerned about the State party's dependence on international assistance and cooperation, especially in several sectors linked to the realization of the rights set out in the Covenant, to the detriment of the mobilization of domestic resources, which could be improved by increasing the fees charged to foreign investors for the exploitation of forests and extractive resources (art. 2 (1)).

**15. The Committee recommends that the State party ensure the effective mobilization of domestic resources by, inter alia, developing a more efficient, progressive and socially just fiscal policy and increasing the fees charged to foreign investors for the exploitation of forests and extractive resources, as a means of combating economic inequalities and progressively achieving the full realization of**

**economic, social and cultural rights. It also recommends that both the reinforcement of fiscal policy and the preparation of budget proposals be conducted in a transparent and participatory manner.**

#### **Development projects**

16. The Committee expresses its concern at the lack of effective instruments to ensure the protection of the rights set out in the Covenant when permits are being granted for projects for economic development or exploitation of natural resources. The Committee is concerned by reports regarding the negative impacts that some of these projects have on the traditional lifestyles of the relevant population groups, including indigenous peoples, and on their access to land, an adequate food supply and an adequate standard of living (arts. 1, 11 and 12).

17. **The Committee recommends that the State party:**

(a) **Draw up clear guidelines and rules for evaluating the impact on the enjoyment of economic, social and cultural rights and the environmental impact of economic development and natural-resource exploitation projects in the State party, including those implemented by private actors, and, in particular, projects involving the territories and natural resources of indigenous peoples;**

(b) **Ensure that communities, including indigenous communities, that are affected by activities related to economic development or to the exploitation of natural resources on their territories are consulted, receive compensation for damages or losses and receive a share of the profits from those activities.**

18. **The Committee refers the State party to its general comment No. 24 (2017) on States' obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities.**

#### **Corruption**

19. The Committee takes note of the measures adopted by the State party to combat corruption and the efforts that have been made to investigate cases of corruption. However, the Committee remains concerned at the lack of effectiveness of those measures and the lack of sufficient protection for persons reporting or investigating corruption (art. 2 (1)).

20. **Reiterating its previous recommendation in this regard (E/C.12/CMR/CO/2-3, para. 8), the Committee calls upon the State party to address the root causes of corruption as a matter of priority and to adopt all necessary legislative and administrative measures to ensure transparency in public administration, both in law and in practice. It also recommends that the State party ensure the effective implementation of anti-corruption measures and take steps to effectively protect victims of corruption and their lawyers, anti-corruption activists, whistle-blowers and witnesses.**

#### **Anti-discrimination legal framework**

21. While taking note of the introduction of some anti-discrimination provisions in its legislative framework, including the Criminal Code, the Committee observes with concern that these measures do not cover all the grounds and areas covered by the Covenant (art. 2).

22. **The Committee urges the State party to adopt a broad anti-discrimination law in accordance with article 2 (2) of the Covenant and, in so doing, to take account of general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights with a view to prohibiting direct and indirect discrimination on any grounds in all the areas covered by the Covenant and guaranteeing effective remedies for victims of discrimination.**

#### **Discrimination on the basis of sexual orientation and gender identity**

23. The Committee notes with concern that consensual same-sex relationships are criminalized by article 347-1 of the Criminal Code and that lesbian, gay, bisexual,

transgender and intersex persons are discriminated against in terms of the enjoyment of their economic, social and cultural rights, particularly in the case of their right to health (art. 2).

**24. The Committee recommends that the State party decriminalize consensual homosexual relations and repeal article 347-1 of the Criminal Code, along with all other legal provisions that are discriminatory with regard to sexual orientation or gender identity. It also recommends that the State party combat discrimination and stigmatization of lesbian, gay, bisexual, transgender and intersex persons by, inter alia, conducting awareness-raising campaigns and that it ensure that no one is discriminated against in terms of the enjoyment of economic, social and cultural rights, in particular with regard to access to health services, on the basis of sexual orientation or gender identity.**

#### **Discrimination against minorities**

25. While taking note of the explanations provided by the delegation, the Committee is concerned at the de facto discrimination and marginalization faced by some ethnic and linguistic minorities, including the English-speaking minority, which hinders their effective enjoyment of their economic, social and cultural rights (art. 2).

**26. The Committee recommends that the State party redouble its efforts to effectively prevent and combat de facto discrimination and marginalization of ethnic, linguistic and religious minorities, including the English-speaking minority. In this regard, the Committee recommends that the State party adopt all necessary measures, including temporary special measures, and launch awareness-raising campaigns to ensure the effective enjoyment of all economic, social and cultural rights.**

#### **Equality between men and women**

27. The Committee notes with concern that the persistence of gender stereotypes, certain practices and the use of customary law continues to reinforce inequality between men and women, including with regard to their access to land. The Committee remains concerned at the maintenance of certain legal provisions that discriminate against women, in particular in the Civil Code, and that bar women from certain types of employment. The Committee notes with concern that, despite some efforts to improve the situation, women remain underrepresented in administrative and political affairs (art. 3).

**28. The Committee recommends that the State party place priority on putting an end to the persistent inequality between men and women. To that end, it calls upon the State party to:**

(a) **Take measures to combat gender stereotypes and change traditional attitudes that interfere with women's enjoyment of their economic, social and cultural rights, including their access to land;**

(b) **Repeal all legal provisions, including in the Civil Code, that discriminate against women or bar women from certain types of jobs, and ensure equality between men and women in the application of customary law, as well as in statutory law;**

(c) **Adopt all necessary measures, including temporary special measures, to ensure that women have equal access to all spheres of political and public life.**

**29. The Committee refers the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

#### **Right to work**

30. The Committee notes with concern that, despite the State party's efforts to improve the situation, unemployment and underemployment rates remain markedly high, particularly among young people and women. The Committee also remains concerned at the difficulties faced by certain groups, such as indigenous peoples, persons with disabilities and English-speaking persons, in gaining access to the labour market, including employment in government service (art. 6).

31. **The Committee recommends that the State party redouble its efforts to lower the unemployment and underemployment rates by, inter alia, ensuring the effective implementation of a national employment strategy. It recommends that the State party ensure that the strategy is accompanied by an action plan with clear objectives, gives priority to groups that have disproportionately high unemployment and underemployment rates, and is allocated the necessary financial and technical resources for its effective implementation and sustainability. The Committee also recommends that the State party improve the quality of school programmes and of technical and vocational training programmes and that it tailor them to the needs of the labour market and to the needs of the most underprivileged and marginalized persons and groups. In this regard, the Committee refers to its general comment No. 18 (2005) on the right to work.**

#### **Informal sector of the economy**

32. The Committee notes with concern that the vast majority of workers, especially women workers, are employed in the informal sector of the economy and are therefore not properly protected by labour laws or covered by the social protection system (arts. 6, 7 and 9).

33. **The Committee calls upon the State party to ensure that workers, including women workers, employed in the informal sector of the economy are protected by labour laws and have social insurance coverage by, inter alia, ensuring that labour inspections are also carried out in this sector. In addition, it calls upon the State party to take the necessary steps to progressively formalize the situation of persons employed in the informal economy and draws the State party's attention to its general comments No. 18 (2005) on the right to work, No. 19 (2007) on the right to social security and No. 23 (2016) on the right to just and favourable conditions of work and to its 2015 statement entitled "Social protection floors: an essential element of the right to social security and of the Sustainable Development Goals" (E/C.12/2015/1).**

#### **Working conditions for women**

34. The Committee takes note with concern of the wage gap between men and women, which is partly attributable to the overrepresentation of women in the informal economy, and of reports of discrimination and violence against women in the workplace (art. 7).

35. **The Committee recommends that the State party take steps to eliminate the persistent wage gap between men and women by combating occupational segregation that results in women working in low-paid jobs and encountering obstacles that prevent them from having the same career opportunities as men. It recommends that the State party take steps to put an end to all discriminatory practices directed at women and to ensure that women victims of discrimination, harassment, abuse or violence have access to protection mechanisms and to effective remedies and compensatory measures.**

#### **Working conditions of indigenous peoples**

36. The Committee is concerned by allegations that the substandard working conditions to which members of indigenous peoples are subjected are tantamount to forced labour (art. 7).

37. **The Committee urges the State party to adopt concrete measures without delay to put a stop to forced labour and to ensure just and favourable working conditions for all workers and particularly members of indigenous peoples. The Committee also calls upon the State party to make sure that independent investigations of such cases are undertaken, to ensure that the perpetrators of these practices are brought to justice and given sentences commensurate with the gravity of their acts and to provide effective protection and rehabilitation services for their victims.**

#### **Trade union rights**

38. The Committee notes with concern that the State party's legal framework imposes excessively restrictive conditions on the exercise of trade union rights, including the right to

strike. The Committee is concerned by reports of trade union leaders and strikers being subjected to violence, intimidation and discrimination. It also notes with concern that article 2 of the Anti-Terrorism Act, under which the death penalty is to be imposed for acts likely to disrupt the normal operation of public services or the provision of essential services to the population or to create a crisis situation among the population, places a significant restriction on trade union activities (art. 8).

**39. The Committee calls upon the State party to bring its laws on trade union rights into line with article 8 of the Covenant, while also taking into account the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98). In particular, the Committee urges the State party to amend article 2 of the Anti-Terrorism Act in order to bring it into line with human rights standards. In addition, it calls upon the State party to introduce appropriate mechanisms for the effective protection of union rights by, inter alia, investigating thoroughly all complaints brought to its attention and paying adequate compensation to the workers concerned.**

#### **Right to social security**

40. The Committee notes with concern that the State party's social protection system is heavily based on formal employment and that, despite the adoption of a voluntary insurance scheme, a significant number of persons continue to be excluded from the social protection system, including workers in the informal economy, self-employed persons and persons performing unpaid domestic work and other tasks, especially women (art. 9).

**41. The Committee recommends that the State party redouble its efforts to develop a social security system that guarantees universal coverage and provides sufficient benefits for all persons, especially those belonging to the most disadvantaged and marginalized groups, in order to ensure that they have a decent standard of living. It urges the State party to step up its efforts to devise a social protection floor that includes basic universal social guarantees. The Committee draws the State party's attention to its general comment No. 19 (2007) on the right to social security and to its statement entitled "Social protection floors: an essential element of the right to social security and of the sustainable development goals".**

#### **Economic exploitation of children**

42. The Committee notes with concern that, despite the measures adopted to address the situation, many children between 6 and 14 years of age are engaged in some form of economic activity, particularly in the informal sector (art. 10).

**43. The Committee recommends that the State party adopt and implement a national action plan for the elimination of child labour, ensure that the laws on child labour are rigorously enforced, strengthen labour inspection mechanisms so that inspections can be carried out in the informal sector as well as the rest of the economy and provide support to poor families so that their children can stay in school. It recommends that the State party ensure that all cases of economic exploitation of children or adolescents and any type of abuse or violence directed at them are thoroughly investigated and that those responsible are duly punished.**

#### **Birth registration**

44. While taking note of the adoption of a universal birth registration project, the Committee notes with concern that the birth registration rate remains low and that a large number of people do not have access to identity cards, which interferes with the enjoyment of certain economic, social and cultural rights (art. 10).

**45. The Committee recommends that the State party step up its efforts to increase the rate of birth registration and ensure access to identity cards. In particular, it urges the State party to: (a) effectively ensure that birth registration is free of charge; (b) ensure the accessibility of the birth registration services of the national civil registry office throughout the country, including, where appropriate, by using mobile units to this end; and (c) carry out campaigns to raise awareness about birth registration**

**procedures, particularly in rural areas. The Committee calls upon the State party to effectively implement the universal birth registration project by, inter alia, allocating adequate resources for that purpose.**

#### **Violence against women**

46. While taking note of the information provided by the State party on the application of the provisions of the Criminal Code to perpetrators of acts of violence against women, the Committee regrets that it has not received statistics on the number of cases in which those provisions have been applied or on the number of offenders who have been put on trial and convicted. The Committee notes with deep concern that practices that are harmful to women and girls remain widespread in the State party, even though they are prohibited by law (art. 10).

47. **The Committee recommends that the State party take the necessary steps to strengthen its legislative framework regarding violence against women by, inter alia, adopting a specific law on the elimination of all forms of violence against women and by explicitly making marital rape and domestic violence criminal offences. It urges the State party to adopt effective measures for the elimination and prevention of practices that are harmful to women, including polygamy, early marriage, forced marriage and female genital mutilation. It calls upon the State party to organize large-scale information, educational and awareness-raising campaigns on the seriousness and detrimental effects of violence against women and girls and practices that are harmful to them.**

#### **Poverty reduction and the right to an adequate standard of living**

48. The Committee is aware of the significant challenges that the State party faces in reducing poverty and ensuring the realization of the right to an adequate standard of living owing, in particular, to the security crisis affecting the country and the wider region. Nevertheless, the Committee notes with concern that the State party's anti-poverty programmes are proving insufficient: poverty rates remain very high and disproportionately affect the inhabitants of rural and remote areas. The Committee is also concerned about the high level of inequality in the State party (art. 11).

49. **The Committee recommends that the State party redouble its efforts to combat social inequality and poverty, particularly extreme poverty, by, inter alia, undertaking a thorough evaluation of existing anti-poverty programmes and strategies with a view to identifying obstacles and adopting the necessary changes to permit the implementation of a comprehensive poverty reduction strategy. The Committee calls upon the State party to ensure that this strategy is coupled with clear-cut, measurable objectives, is properly funded, provides for effective mechanisms for coordination among the various actors, is implemented in accordance with human rights standards and principles, and takes due account of existing regional disparities and the real needs of the population, especially those of the most disadvantaged and marginalized groups. The Committee refers the State party to the statement on poverty and the International Covenant on Economic, Social and Cultural Rights that it adopted in 2001 (E/C.12/2001/10).**

#### **Right to food**

50. The Committee notes with concern that a large number of people continue to suffer from food insecurity. The Committee regrets the lack of information on the adoption of a framework law to protect the right to food and on the measures adopted to improve access to food in regions where food insecurity is more serious, such as the Far North Region (art. 11).

51. **The Committee urges the State party to:**

(a) **Adopt a legislative and institutional framework and a comprehensive strategy for guaranteeing the right to adequate food and combating hunger and chronic malnutrition, particularly in rural areas and in the Far North Region, and seek technical support in that regard from the Right to Food Team of the Food and Agriculture Organization of the United Nations;**

(b) **Step up its efforts to boost the productivity of smallholder farmers by facilitating their access to appropriate technologies and to local markets as a means of raising income levels in rural areas;**

(c) **Consider mounting campaigns to raise awareness about the importance of preventing the use of agricultural pesticides and chemicals that are hazardous to people's health and to disseminate agroecological practices.**

52. **The Committee refers the State party to its general comment No. 12 (1999) on the right to adequate food and to the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in 2004.**

#### **Forced evictions**

53. While taking note of the information provided by the State party concerning article 322-1 of the Criminal Code, under which non-payment of rent is an offence, the Committee remains concerned about the negative effects of its enforcement on the enjoyment of the right to housing, particularly with regard to protection against forced evictions (art. 11).

54. **The Committee recommends that the State party review article 322-1 of the Criminal Code with a view to decriminalizing the non-payment of rent and ensuring that the State party's legal framework effectively protects the right to housing. The Committee urges the State party to take the necessary steps to provide protection against forced eviction, including the adoption and implementation of an appropriate legal framework which guarantees the provision of compensation or the option of adequate alternative housing for persons who have been forcibly evicted. The Committee draws the State party's attention to its general comment No. 7 (1997) on forced evictions.**

#### **Right to physical and mental health**

55. The Committee is concerned that the accessibility, availability and quality of physical and mental health-care services remain limited in the State party owing, in particular, to a lack of adequate medical supplies and infrastructure and shortages of medical personnel. The Committee notes that these problems are becoming more serious in remote rural areas and in areas affected by security crises in the Far North, North-West and South-West Regions (art. 12).

56. **The Committee recommends that the State party:**

(a) **Allocate sufficient resources to the health sector to ensure the effective implementation of the 2016–2027 Health Sector Strategy;**

(b) **Ensure the accessibility, availability and quality of health care in all regions by, inter alia, improving the infrastructure of the primary health-care system and ensure that hospitals are adequately staffed with suitable medical personnel and have sufficient and appropriate infrastructure and equipment, along with a regular supply of medicines;**

(c) **Adopt legislation and an overarching policy on mental health with a view to ensuring the availability of mental health services, including community-based services, and increasing the number of professional staff working in this field.**

57. **The Committee draws the State party's attention to its general comment No. 14 (2000) on the right to the highest attainable standard of health.**

#### **Sexual and reproductive health**

58. The Committee notes with concern that, under article 337 of the Criminal Code, the voluntary termination of pregnancy is an offence except under very restrictive circumstances (art. 12).

59. **The Committee recommends that the State party review its criminal legislation under which abortion is prohibited with a view to making it compatible with women's rights, including the right to mental and physical health and the right to life, and to expanding the set of circumstances under which abortion is legal while also doing away with the restrictive requirements that limit access to abortion. In this regard, the Committee also recommends that the State party ensure that women who have recourse to this practice are not held to be criminally liable. It calls upon the State party to ensure the dissemination and availability of appropriate, high-quality sexual and reproductive health information and services, including family planning services, to all women and adolescent girls, especially in remote rural areas. The Committee draws the State party's attention to its general comment No. 22 (2016) on the right to sexual and reproductive health.**

#### **Right to education**

60. The Committee notes with concern that numerous challenges remain with regard to the effective enjoyment of the right to education in the State party. In this regard, it is concerned at:

- (a) The decline in the primary school enrolment rate;
- (b) The low enrolment rate for girls and the difficulties that remain in terms of their admission to school and their continued attendance;
- (c) The lack of adequate school infrastructure, including insufficient access to safe drinking water and sanitation facilities;
- (d) The school costs at the primary education level occasioned by indirect and unofficial fees that have a disproportionate impact on children from low-income households;
- (e) Obstacles to the realization of the right to education for indigenous peoples owing, in part, to the fact that educational programmes are not culturally appropriate and to the limited availability of instruction in indigenous languages;
- (f) Acts of violence directed at teachers, students and parents and damage to educational infrastructure in areas affected by the security crises in the Far North, North-West and South-West Regions of the country (arts. 13 and 14).

61. **The Committee calls upon the State party to:**

- (a) **Take steps to raise the enrolment rate in primary and secondary schools;**
- (b) **Address the remaining challenges and obstacles in order to ensure that girls and boys have equal access to education;**
- (c) **Take the necessary steps to improve school infrastructure by, inter alia, ensuring access to safe drinking water and adequate sanitation facilities;**
- (d) **Ensure that attendance at primary school is actually free of charge and reinforce the rules and mechanisms for monitoring and overseeing private educational institutions;**
- (e) **Ensure access to a quality and culturally appropriate education for indigenous peoples by, inter alia, upgrading the instruction provided in their own language;**
- (f) **Take steps, as a matter of urgency, to ensure that children in the Far North, North-West and South-West Regions of the country have access to education and conduct thorough investigations into acts of violence directed at teachers, students and parents, as well as regarding the damage done to educational infrastructure, in order to bring those responsible to justice.**

#### **Cultural diversity**

62. The Committee acknowledges the State party's efforts to preserve the cultural and linguistic diversity of its society by means, inter alia, of the establishment of the National Commission for the Promotion of Bilingualism and Multiculturalism in 2017. Nevertheless,

the Committee notes with concern that some stakeholders have expressed misgivings about the Commission's independence and that numerous obstacles stand in the way of the promotion and dissemination of the culture, languages and traditions of the different ethnic and linguistic minorities (art. 15).

63. **The Committee recommends that the State party redouble its efforts to promote greater respect for cultural diversity by fostering an enabling environment for the efforts of minority groups and indigenous peoples to preserve, develop, express and share their identity, history, culture, traditions and customs. The Committee recommends that the State party ensure the effective operation of the National Commission for the Promotion of Bilingualism and Multiculturalism by ensuring its independence and allocating sufficient human, financial and technical resources to it.**

#### **Internet access**

64. The Committee is concerned at the very low level of Internet access in the country, especially in rural areas. It is also deeply concerned about restrictions on Internet access in the North-West and South-West Regions, which have constrained the exercise of economic, social and cultural rights, including the right to enjoy the benefits of scientific progress and its applications (art. 15).

65. **The Committee recommends that the State party take all necessary steps to improve access to the Internet, especially in rural areas, by, inter alia, developing the requisite infrastructure and ensuring that Internet services are affordable for everyone. It calls upon the State party to ensure that any limitations placed on access to the Internet are in all cases subject to careful scrutiny in order to make sure that they are necessary and proportionate to the circumstances, temporary and non-discriminatory, and to ensure that any Internet restrictions are compatible with article 4 of the Covenant and provided for by law.**

### **D. Other recommendations**

66. **The Committee encourages the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

67. **The Committee also encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention on the Rights of Persons with Disabilities; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and the Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

68. **The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the course of its implementation of the 2030 Agenda for Sustainable Development at the national level, with the support of international assistance and cooperation when needed. Achievement of the Sustainable Development Goals will be significantly facilitated if the State party establishes independent mechanisms to monitor progress and treats beneficiaries of public programmes as rights holders who are entitled to avail themselves of their rights. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination will ensure that no one is left behind.**

69. **The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators for tracking the implementation of economic, social and cultural rights in order to facilitate the assessment of progress achieved by the State party in complying with its obligations under the Covenant with regard to various segments of the population. In that context, the Committee refers the State**

party to, *inter alia*, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights (see HRI/MC/2008/3).

70. The Committee requests the State party to disseminate the present concluding observations widely at all levels of society, including at the national and regional levels, in particular among members of the National Assembly and the Senate, public officials and judicial authorities, and to inform the Committee in its next periodic report about the steps it has taken to act upon them. The Committee encourages the State party to engage with the national human rights institution, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in its consultations at the national level prior to the submission of its next periodic report.

71. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months from the adoption of the present concluding observations, information on the implementation of the recommendations made by the Committee in paragraphs 26 (discrimination against minorities), 39 (trade union rights) and 51 (the right to food) above.

72. The Committee requests the State party to submit its fifth periodic report, to be prepared in accordance with the reporting guidelines adopted by the Committee in 2008 (E/C.12/2008/2), by 31 March 2024. It also invites the State party to update, as appropriate, its common core document in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.6, chap. I).

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