



# Economic and Social Council

## Committee on Economic, Social and Cultural Rights

### Concluding observations on the fifth periodic report of Mauritius \*

1. The Committee considered the fifth periodic report of Mauritius (E/C.12/MUS/5) at its 14th and 15th meetings (see E/C.12/2019/SR.14 and 15), held on 26 and 27 February 2019, and adopted the present concluding observations at its 30th meeting, held on 8 March 2019.

#### A. Introduction

2. The Committee welcomes the submission of the fifth periodic report by the State party and the supplementary information provided in the replies to the list of issues (E/C.12/MUS/Q/5/Add.1). The Committee appreciates the constructive dialogue held with the State party's high-level delegation.

3. While welcoming the establishment of the national mechanism for reporting and follow-up in the State party, the Committee regrets the lack of engagement from stakeholders, including civil society and the National Human Rights Commission, in the examination process for the fifth periodic report.

#### B. Positive aspects

4. The Committee welcomes the advisory opinion on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, adopted on 25 February 2019 by the International Court of Justice, in which the Court affirmed the right to self-determination of the Chagos Archipelago on the basis, *inter alia*, of article 1 of the Covenant. The Committee also welcomes the legislative, institutional and policy measures taken to enhance the level of protection of economic, social and cultural rights in the State party, many of which are reflected in the present concluding observations. It notes, in particular, the adoption of the Marshall Plan against poverty in 2016 and the announcement in 2019 of free tertiary public education.

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

##### Applicability of the Covenant

5. The Committee notes that the process of amending the Constitution to enshrine the economic, social and cultural rights of the Covenant on an equal footing with other constitutional rights has not been completed. It reiterates its concern that the rights contained in the Covenant have not been incorporated into the domestic legal order and thus cannot be directly invoked by individuals before national courts. It notes with concern the intention of the State party, expressed in paragraph 23 of its National Human Rights Action Plan (2012–2020), to select for inclusion in the Protection of Human Rights Act only those provisions of the Covenant that it considers to lend themselves to being domestically enforced by the courts.

##### Applicability of the Covenant

6. **The Committee recommends that the State party accord the Covenant a legal status that would enable its provisions to be invoked directly within the domestic legal system, allowing them to be applied in the domestic legal order. Moreover, the Committee recommends that the State party improve training for judges, lawyers and public officials on the provisions of the Covenant and their justiciability. The Committee draws the attention of the State party to its general comment No. 9 (1998) on the domestic application of the Covenant, and to paragraph 11.3 of its decision in the case of *I.D.G. v. Spain* (E/C.12/55/D/2/2014).**

##### National Human Rights Commission

7. The Committee notes that the National Human Rights Commission was granted A status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions in 2014, with a number of recommendations for further strengthening its independence and effective functioning. Like the Subcommittee on Accreditation, however, the Committee is concerned that the Commission does not have an explicit mandate to protect and promote economic, social and cultural rights.

##### National Human Rights Commission

8. **The Committee recommends that the State party provide the National Human Rights Commission with an explicit mandate to protect and promote economic, social and cultural rights. It also recommends that the State party further strengthen the independence and effective functioning of the Commission in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including by**

fully implementing the recommendations made by the Global Alliance of National Human Rights Institutions and by implementing the commitment expressed in paragraph 68 of the National Human Rights Action Plan (2012–2020).

## **Climate change**

9. The Committee is aware that the State party is prone to natural calamities such as cyclones and appreciates the establishment of the National Environment Fund. Natural disasters, in the face of climate change, have had a serious impact on the enjoyment of the Covenant rights, particularly for those living at sea level in the southern part of the country, despite the fact that the State party has made a negligible contribution to climate change.

## **Climate change**

**10. The Committee recommends that the State party strengthen its preparation for and response to disasters and its disaster risk reduction measures, adopting a human rights-based approach based on a clear identification of rights and responsibilities, including the establishment of monitoring mechanisms, and allocate an adequate level of financial resources to that end. It also recommends that the State party strengthen the preparedness of communities, particularly those living in the south, for climate change and natural disasters. It encourages the State party to seek international support and assistance in order to mobilize the financial and technological support to which it is entitled in mitigating and responding to the effects of climate change.**

## **State obligations in the context of business activities**

11. The Committee notes that under section 46 (5) of the Public Procurement Act 2006, a procurement contract must include a clause to guarantee the rights of the workers engaged in the execution of the contract. However, it is concerned that the definition of “worker” provided for in section 46 (10) and in section 2 of the Employment Rights Act 2008 may exclude workers employed by subcontractors from that protection.

## **State obligations in the context of business activities**

**12. The Committee recommends that the State party ensure that section 46 (5) of the Public Procurement Act 2006 covers all workers engaged in the execution of a contract, including those employed by subcontractors. It recalls that, as part of their duty to protect the rights enshrined in the Covenant, States parties should require corporations to ensure that their business partners (including suppliers, franchisees and subcontractors) respect those rights. In that regard, the Committee refers to paragraph 33 of its general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities.**

## **Maximum available resources**

13. While the Committee appreciates the need to attract foreign direct investment and commends the contribution of the National Corporate Social Responsibility Foundation to the work of non-governmental organizations (NGOs), it is concerned that the low rate of corporate income tax applied in the State party may reduce the public revenues available to finance public policies for the implementation of the Covenant rights. The low rate may also encourage unhealthy regulatory competition in the subregion, which would ultimately make it more difficult for all Governments to mobilize the resources necessary for the fulfilment of the rights in the Covenant (art. 2 (1)).

## **Maximum available resources**

**14. The Committee recommends that the State party re-examine the role of corporate income tax in mobilizing domestic revenues, and that it play an active role in seeking to make progress towards the upward harmonization of corporate taxation in the region, enabling all countries in the region to maximize the contribution of foreign investors to public revenue. In that regard, the Committee refers to paragraph 29 of its general comment No. 24.**

## **Non-discrimination**

15. The Committee is concerned about the shortcomings of the Equal Opportunities Act 2012. The list of prohibited grounds of discrimination in section 2 does not include gender identity, social origin or property. The term “spouse” is defined narrowly, thus excluding persons in unregistered Muslim marriages and de facto unions from protection from discrimination in the enjoyment of their rights under the Covenant. Moreover, under section 19 (2), the prohibition of discrimination in the private housing market is limited (arts. 2 (2), 10 and 11).

## **Non-discrimination**

**16. The Committee recommends that the State party revise the Equal Opportunities Act, in particular sections 2 and 19 (2), with a view to ensuring that the Act prohibits all direct, indirect and intersectional forms of discrimination, on any ground, including gender identity, social origin, property and other status, in all spheres relevant to the Covenant rights. The Committee also recommends that the State party provide for effective remedies for victims of discrimination, including through judicial and administrative proceedings. It draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

## **Lesbian, gay, bisexual, transgender and intersex persons**

17. The Committee is concerned that same-sex relations are still criminalized under section 250 of the Criminal Code, a legacy of the colonial era. It is also concerned about the limited protection of lesbian, gay, bisexual, transgender and intersex persons provided in anti-discrimination provisions, since gender identity is not included as a prohibited ground. It is further concerned about the absence of any legal recognition of same-sex couples, which may restrict the protection of same-sex partners upon separation, or following the illness or death of a partner (arts. 2 (2) and 10).

### **Lesbian, gay, bisexual, transgender and intersex persons**

**18. The Committee urges the State party to make the necessary legislative changes with a view to repealing section 250 of the Criminal Code, fully protecting lesbian, gay, bisexual, transgender and intersex persons from discrimination based on sexual orientation and gender identity, and providing for legal recognition of same-sex unions or partnerships.**

### **Persons with disabilities**

19. While noting the efforts made by the State party to enact comprehensive legislation on the rights of persons with disabilities, the Committee remains concerned that the duty to provide reasonable accommodation in section 13 of the Equal Opportunities Act is limited to the field of employment. It is also concerned that the 3 per cent employment quota for persons with disabilities is applicable only in the private sector and is not effectively enforced (arts. 2 (2) and 6).

### **Persons with disabilities**

**20. The Committee recommends that the State party expedite the adoption of a comprehensive law on the rights of persons with disabilities and review all relevant legislation, including the Equal Opportunities Act, with a view to fully integrating the duty to provide reasonable accommodation therein. It also recommends that the State party extend the employment quota for persons with disabilities to the public sector and strengthen its enforcement.**

### **Creole population**

21. While noting the measures taken by the State party, particularly on Rodrigues Island, the Committee remains concerned that the Creole population, including persons living on Rodrigues Island, continue to face systemic disadvantages in their enjoyment of the Covenant rights, particularly in the areas of employment, housing, health care and education. The Committee is also concerned that Creoles are disproportionately affected by poverty. It is particularly concerned about the situation of the Malaise Creoles, who are the most marginalized among the Creole population (art. 2 (2)).

### **Creole population**

**22. The Committee recommends that the State party assess the effectiveness of the measures taken and design and implement other measures, including temporary special measures, in accordance with paragraph 39 of its general comment No. 20, with the participation of representatives of the Creole population, to ensure that they have effective and equal access to employment, adequate housing, health-care services and inclusive quality education. It also recommends that the State party monitor the situation of the economic, social and cultural rights enjoyed by the Malaise Creoles and take the measures necessary to address the situation.**

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

23. While welcoming the Equal Opportunities Act, the efforts to mainstream gender equality across all ministries and the amendment to the Employment Rights Act in 2013 to establish the principle of equal pay for work of equal value, the Committee is concerned that deep-rooted gender role stereotypes, patriarchal attitudes and persistent discriminatory cultural norms and practices against women contribute to the low representation of women in decision-making positions in the public sector. It is also concerned about the low participation of women in the labour market, the significant gender pay gap and the uneven implementation of the principle of equal pay for work of equal value, particularly in the agricultural sector and the sugar and tea industries, and the persistence of occupational gender segregation (arts. 3, 6 and 7).

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

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

**(a) Review and amend all existing laws, regulations, norms and practices that are discriminatory against women, and develop policies and programmes, including temporary special measures, to achieve substantive gender equality in all areas of economic, social and cultural rights;**

**(b) Adopt effective measures to end occupational gender segregation and close the gender pay gap, including by providing women with decent work and career development opportunities in non-traditional fields of study and with work on an equal footing with men;**

**(c) Effectively implement the principle of equal pay for work of equal value, including by establishing methods for an objective appraisal of the work to be performed with a view to providing a classification of jobs that is free of gender bias;**

**(d) Take comprehensive measures to eliminate strong gender role stereotypes, including through media campaigns and**

opinion leaders, and through awareness-raising among the general public on the equal sharing of rights and responsibilities between men and women in the family and society.

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

**25. The Committee draws the attention of 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, and to paragraphs 11–17, 47 (a) and 62 of its general comment No. 23 (2016) on the right to just and favourable conditions of work.**

### **Right to work**

26. While noting the measures taken by the State party, the Committee is concerned about the lack of appropriate education and training to meet the requirements of the labour market, since it has contributed to the high level of unemployment among young people and women. The Committee is also concerned about the disproportionately low participation of women in the labour market and the high level of unemployment among women (arts. 3 and 6).

### **Right to work**

**27. The Committee recommends that the State party intensify its efforts to improve vocational education and training, including the Youth Employment Programme and the Back to Work Programme, and provide continuous learning opportunities to meet the changing demands of the labour market. It also recommends that the State party identify and effectively address the root causes of the disproportionately low level of female participation in the labour market and high unemployment among women.**

### **Minimum wage**

28. While welcoming the establishment of a national minimum wage, the Committee remains concerned that it does not apply equally to all workers and that the minimum wages for workers in the sugar, tea and salt manufacturing industries and for workers in export-oriented enterprises are lower than the national minimum wage (arts. 3 and 7).

### **Minimum wage**

**29. The Committee urges the State party to ensure that the national minimum wage applies to all workers in all sectors and industries in the State party. It refers to paragraphs 18–24 of its general comment No. 23.**

### **Domestic workers**

30. The Committee is concerned about the large number of complaints filed by domestic workers regarding their working conditions. It is also concerned that the labour inspectorate cannot effectively monitor the situation of domestic workers (art. 7).

### **Domestic workers**

**31. The Committee recommends that the State party ensure that all complaints received from domestic workers about working conditions are duly investigated and, where appropriate, penalties are applied. It also recommends that the State party take the measures necessary to enable the labour inspectorate to effectively monitor the working conditions of domestic workers, including by exercising the powers of the Permanent Secretary provided for in sections 61–62 of the Employment Rights Act 2008 and in sections 24–27 of the Occupational Safety and Health Act 2005.**

### **Migrant workers**

32. While noting the efforts made by the State party, the Committee remains concerned about reports that migrant workers continue to be subjected to forced labour, underpayment of wages, substandard living conditions, denial of allowances, deportation and termination in the event of a pregnancy. It is also concerned about the insufficient regulation of recruitment agencies, which are often responsible for such abuses.

### **Migrant workers**

**33. The Committee recommends that the State party intensify its efforts to protect the rights of migrant workers and, in particular:**

- (a) Continue to raise awareness among migrant workers of their rights provided in legislation and of the complaint mechanisms available to them;**
- (b) Improve the complaint mechanisms and provide complainants with the necessary assistance, including legal assistance;**
- (c) Apply deterrent penalties for contravening employers;**
- (d) Establish a regulatory framework for recruitment agencies and monitor their activities;**
- (e) Strengthen cooperation with workers' countries of origin, through bilateral agreements, to protect and promote the**

rights of those workers.

### **Trade union rights**

34. While welcoming the legislative reform that allows members of the police force to form and join unions, the Committee is concerned about reports that trade union representatives face harassment, intimidation, threats, discrimination and unfair dismissals in export processing zones.

### **Trade union rights**

**35. The Committee urges the State party to ensure that all the allegations of harassment and intimidation against trade union activists, particularly in export processing zones, are thoroughly investigated and that those responsible are tried and punished. It also recommends that the State party take effective measures to ensure that all workers, including those in export processing zones, enjoy their rights provided for in article 8 of the Covenant.**

### **Right to social security**

36. The Committee welcomes the significant increase in the amount of the basic retirement pension from MUR 3,623 in 2014 to MUR 6,210 in 2019, and the introduction of free medical services and public transportation for older persons. It is concerned, however, that the amount of the pension, which remains below the relative poverty line, is not sufficient to provide beneficiaries with an adequate standard of living. It is also concerned that the coverage of the contributory pension scheme is low. It is further concerned that non-nationals remain excluded from social aid and that, despite the amendment to the National Pensions Act in 2015, migrant workers in export manufacturing enterprises cannot enrol in the national contributory pension scheme during the first two years of their contract (arts. 2 (2), 9 and 11).

### **Right to social security**

**37. The Committee recommends that the State party continue its efforts to:**

**(a) Increase the amount of the basic retirement pension to a level that ensures an adequate standard of living for beneficiaries;**

**(b) Ensure that migrant workers in export manufacturing enterprises can participate in the national pension scheme from their first day of employment;**

**(c) Extend the coverage of the contributory pension scheme to cover all workers, including those in the informal economy, self-employed persons and non-nationals;**

**(d) Extend the coverage of social aid to include non-nationals.**

### **Right to social security**

**38. The Committee draws the attention of the State party to its general comment No. 19 (2008) on the right to social security.**

### **Older persons**

39. While noting the efforts made by the State party to strengthen the protection of older persons, the Committee is concerned about the persistently high number of reported cases of abuse against older persons. It is also concerned about the fact that several unregistered care homes operate without oversight and about the lack of qualified caretakers. It is further concerned about the prevalence of social prejudice against older persons.

### **Older persons**

**40. The Committee recommends that the State party strengthen its efforts to:**

**(a) Combat abuse against older persons, including by strengthening the enforcement of the Protection of Elderly Persons Act and the role of the Elderly Watch Management Committees, and identifying and addressing the root cause of such abuse;**

**(b) Ensure that all care homes are registered and brought under effective regulation and monitoring by the relevant public authorities, and that a sufficient number of qualified caretakers is secured;**

**(c) Combat social prejudice against older persons, including through awareness-raising activities.**

### **Domestic violence and criminalization of marital rape**

41. The Committee is concerned about the prevalence of domestic violence in the State party and that marital rape is not explicitly criminalized.

### **Domestic violence and criminalization of marital rape**

**42. The Committee recommends that the State party intensify its efforts to combat domestic violence, including by strengthening the enforcement of the Protection from Domestic Violence Act and raising awareness of the Act, particularly the occupation and tenancy orders provided for in sections 4–8, and by improving the assistance available to survivors. It also recommends that the State party take legislative measures to explicitly criminalize marital rape.**

### **Equitable distribution of family responsibilities**

43. While welcoming the amendment to the Employment Rights Act in 2015 to extend the length of and eligibility for maternity leave, and the regulations governing teleworking (Government Notice No. 37 of 2019), the Committee remains concerned that the greater burden of unpaid domestic and care work is borne by women, which negatively affects their employment opportunities and, later in life, their pension benefits. It is particularly concerned about the absence of parental leave; the short length of paternity leave, which only benefits those who have a civil or religious marriage contract with the mother of their child; and the fact that no pension points are accrued during long-term unpaid leave taken for family responsibilities, which may disproportionately affect women (see *Trujillo Calero v. Ecuador* (E/C.12/63/D/10/2015), para. 13.4) (arts. 2 (2), 3, 6, 9 and 10).

### **Equitable distribution of family responsibilities**

**44. The Committee recommends that the State party further its efforts to ensure the equitable distribution of family responsibilities between men and women, and in particular:**

- (a) Introduce parental leave with a minimum period exclusively earmarked for fathers;
- (b) Extend the length of paternity leave and apply it to the father of a newborn child regardless of marital status;
- (c) Ensure that both men and women take advantage of the teleworking policy in practice;
- (d) Expand the provision of affordable childcare and personal services;
- (e) Ensure that the period of long-term unpaid leave taken for family responsibilities is taken into account in the calculation of pension benefits.

### **Child marriage**

45. The Committee is concerned that under section 145 of the Civil Code, children between 16 and 18 years of age are permitted to marry with only the consent of the parties concerned and of a parent or a guardian. It is also concerned that there have been a number of children married under the age of 18 in the State party (art. 10).

### **Child marriage**

**46. The Committee recommends that the State party ensure strict adherence to the legal provision that sets the minimum age for marriage for both sexes at 18, and take all measures to eliminate child marriage.**

### **Right to housing**

47. The Committee is concerned that the provision of social housing is inadequate and that the living conditions in many social housing units remain poor with limited access to water, adequate sanitation facilities and other public services, despite the efforts made by the State party. It is also concerned that a number of neighbourhoods in the State party are de facto ethnically segregated, particularly on Rodrigues Island where the majority of the Creole population are concentrated in informal urban settlements (art. 11).

### **Right to housing**

**48. The Committee recommends that the State party intensify its efforts to expand the provision of social housing units and to improve the conditions of existing social housing units and the National Housing Development Company housing estates. It also recommends that the State party aim, in its government planning policy, to achieve spatially integrated housing developments so as to counteract de facto residential segregation of poor and marginalized populations such as the Creoles. The Committee draws the attention of the State party to its general comment No. 4 (1991) on the right to adequate housing.**

### **Social Register of Mauritius**

49. While it welcomes the support provided to low-income households included in the Social Register of Mauritius, the Committee is concerned that the targeting of beneficiaries may lead to the underinclusion of certain individuals or households, and that gender stereotypes may be reinforced if women are made primarily responsible for compliance with conditions in the social contract linked to health or education (arts. 3 and 11).

### **Social Register of Mauritius**

**50. The Committee recommends that the State party review the Social Register of Mauritius to ensure that all potential beneficiaries are informed about their right to be included, that any practical obstacles to registration are removed and that the conditions stipulated in the social contract with beneficiaries do not reinforce gender stereotypes.**

## Right to health

51. The Committee is concerned about:

- (a) The high incidence of non-communicable diseases and the increase in deaths related to non-communicable diseases;
- (b) The large number of persons infected with hepatitis C, particularly among persons who inject drugs (95 per cent), and the very limited capacity to treat patients due to the unaffordability of medicines;
- (c) The estimated high incidence of unsafe clandestine abortions and the large number of reported cases of post-abortion complications (art. 12).

## Right to health

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

- (a) Take effective measures to reduce the risk factors of non-communicable diseases, to improve the early detection of such non-communicable diseases, to provide effective and timely treatment and to prevent complications;**
- (b) Strengthen its capacity to treat persons infected with hepatitis C and prevent new infections, including through awareness-raising and outreach activities aimed at drug users;**
- (c) Reduce clandestine abortions by ensuring that safe abortion services in accordance with section 235 (a) of the Criminal Code are easily accessible; provide post-abortion care and counselling; and provide improved access to sexual and reproductive health information and services, including contraceptives, particularly among adolescents. The Committee draws the attention of the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health.**

## Use of drugs

53. While noting the decrease in the number of drug users, the Committee is concerned about:

- (a) The repressive laws and policies to deal with the use of drugs, resulting in over half of the prison population being drug offenders;
- (b) The acute health conditions of drug users, such as the high prevalence of HIV and hepatitis C infections, and their limited access to health-care services due to the social stigma attached to them;
- (c) The limited availability of harm reduction programmes, particularly for those under the age of 18;
- (d) The provisions of the Certificate of Character Act, which require the inclusion of information on drug offences in certificates of character issued upon the request of prospective employers (arts. 2 (2) and 12).

## Use of drugs

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

- (a) Review its legislation and policies relating to drug use, on the basis of an approach that prioritizes the right to health of drug users;**
- (b) Develop a policy to address the acute health conditions of drug users, improve access to health-care services for drug users, and combat social stigmatization of drug users, including through awareness programmes;**
- (c) Continue to expand harm reduction programmes, including opioid substitution therapy and needle and syringe programmes, and expand the harm reduction programmes available to those under the age of 18;**
- (d) Review the Certificate of Character Act with a view to bringing it into line with the 2017 amendment to the Equal Opportunities Act to prohibit employment discrimination on the grounds of a criminal record.**

## Mental health

55. The Committee is concerned about the prevalence of mental health conditions and the insufficient number of psychiatrists and other professional mental health-care providers in the State party. It is also concerned about the social stigmatization of persons with mental health conditions, who are often labelled as *pagla* or *fou* (arts. 2 (2) and 12).

## Mental health

**56. The Committee recommends that the State party identify the root causes of the prevalence of mental health conditions in order to address them and that it increase the availability, accessibility and quality of professional mental health-care services, including community-based services, and skilled personnel. It urges the State party to combat the social stigmatization of persons with mental health conditions.**

## Right to education

57. While welcoming the measures taken to strengthen basic education, including the introduction of the Nine Years of Continuous Basic Education Programme and the Primary School Achievement Certificate, and the adoption in 2018 of the Special Education Needs Authority Act, the Committee is concerned about:

- (a) The high rates of absenteeism in both primary and secondary education;
- (b) The insufficiency of educational materials in the Creole language for teaching purposes;
- (c) The high level of inequality in educational outcomes due to the frequent selection of private education;
- (d) The insufficient provision of inclusive education for students with disabilities and the reliance on NGOs for the training of teachers and special services for those children.

### **Right to education**

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

- (a) Identify and address the root causes of the high rate of absenteeism;**
- (b) Take the steps necessary to improve access to educational materials in the Creole language;**
- (c) Address the growing inequality in educational outcomes, including by improving the quality of public education;**
- (d) Further extend the provision of inclusive education for students with disabilities and strengthen the capacity of the State party, in collaboration with relevant stakeholders, including NGOs, to train teachers and to provide special services for children with disabilities.**

### **Cultural rights**

59. The Committee is concerned that Mauritian Creole has not been given any official status, despite the fact that over 85 per cent of the population speak the language.

### **Cultural rights**

**60. The Committee recommends that the State party take the steps necessary to accord Mauritian Creole an official status.**

### **Right to enjoy the benefits of scientific progress and its applications**

61. The Committee notes with appreciation the installation of the Mauritius-Rodrigues submarine cable and the extension of Internet connectivity to an outer island, Agalega. It is, however, concerned that the number of Internet users remains very low and that many persons, particularly disadvantaged and marginalized individuals, do not have the digital skills to enjoy the benefits of advanced technology, including information and communications technology (ICT).

### **Right to enjoy the benefits of scientific progress and its applications**

**62. The Committee recommends that the State party take effective measures to support those who have neither access to the Internet nor the digital skills to benefit from advanced ICT infrastructure, and to ensure that all persons in the State party enjoy the benefits of scientific progress and its applications, including ICT, without discrimination.**

### **D. Other recommendations**

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

**64. The Committee recommends that the State party consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

**65. 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 implementation of the 2030 Agenda for Sustainable Development at the national level, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind.**

**66. The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators on 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 for 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**

(HRI/MC/2008/3).

67. The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the national, regional and municipal levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee encourages the State party to engage with the National Human Rights Commission, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

68. 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 of the adoption of the present concluding observations, information on the implementation of the recommendations contained in paragraphs 16 (revision of the Equal Opportunities Act), 29 (minimum wage legislation) and 44 (a) and (b) (parental leave and paternity leave) above.

69. The Committee requests the State party to submit its sixth 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. In addition, it invites the State party to update its common core document, as necessary, in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.6, chap. I).