



Economic and Social Council

Original: English

Committee on Economic, Social and Cultural Rights

Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland*

1. The Committee on Economic, Social and Cultural Rights considered the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/GBR/6) at its 36th and 37th meetings (see E/C.12/2016/SR.36 and 37), held on 15 and 16 June 2016, and adopted the following concluding observations at its 49th meeting, held on 24 June 2016.

A. Introduction

2. The Committee welcomes the sixth periodic report submitted by the State party and the supplementary information provided in the replies to the list of issues (E/C.12/GBR/Q/6/Add.1). The Committee also welcomes the constructive dialogue held with the interministerial delegation of the State party, including the governments of Scotland and Wales. The Committee regrets that the absence of representatives of the government of Northern Ireland did not enable it to make a full assessment of the enjoyment of Covenant rights in Northern Ireland.

B. Positive aspects

3. The Committee welcomes the ratification of the Convention on the Rights of Persons with Disabilities on 8 June 2009 and of its Optional Protocol on 7 August 2009.

4. The Committee notes with appreciation the adoption of the following legislation:

- (a) Modern Slavery Act 2015;
- (b) Care Act 2014;
- (c) The New Scots: Integrating Refugees in Scotland's Communities (2014/2017);
- (d) Scotland's National Action Plan for Human Rights (2013-2017).

C. Principal subjects of concern and recommendations

Justiciability of economic, social and cultural rights

5. While the Committee takes note of the State party's views on the incorporation of the Covenant rights into the domestic legislation, the Committee regrets that the Covenant rights cannot be applied directly by domestic courts, which may restrict access to effective legal remedies for violations of Covenant rights.

6. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 13) and urges the State party to fully incorporate the Covenant rights into its domestic legal order and ensure that victims of violations of economic, social and cultural rights have full access to effective legal remedies. The Committee draws the attention of the State party to its general comment No. 9 (1998) on the domestic application of the Covenant.

Devolved administrations

7. While noting the complex structure of the State party, with devolved administrations in Wales, Scotland and Northern Ireland, as well as its responsibility with regard to the British Overseas Territories and the Crown Dependencies, the Committee regrets the lack of involvement and participation of Northern Ireland in the review process and the limited information available on the enjoyment of economic, social and cultural rights in the British Overseas Territories and the Crown Dependencies (art. 2).

8. In line with its previous recommendation (see E/C.12/GBR/CO/5, para. 12), the Committee reminds the State party of its ultimate responsibility for the implementation of the Covenant in all its jurisdictions, including the British Overseas Territories and Crown Dependencies, and recommends that the State party take all necessary measures to ensure the full enjoyment of economic, social cultural rights by all persons under its jurisdiction.

Bill of rights

9. The Committee takes note of the concern raised by national stakeholders with regard to the announced plan to replace the Human Rights Act 1998 with a new British bill of rights that the new legislation may lower the status of international and regional human rights standards, including on economic, social and cultural rights, in the State party. The Committee regrets that a bill of rights for Northern Ireland has not yet been adopted, as provided by the Belfast (Good Friday) Agreement.

10. The Committee recommends that the State party undertake a broad public consultation on its plan to repeal the Human Rights Act 1998 as well as on the proposal for a new bill of rights. It also recommends that the State party take all necessary measures to ensure that any new legislation in this regard is aimed at enhancing the status of human rights, including economic, social and cultural rights, in the domestic legal order and that it provide effective protection of those rights across all jurisdictions of the State party. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 10) and urges the State party to take all necessary measures to expedite the adoption of a bill of rights for Northern Ireland.

Business and economic, social and cultural rights

11. The Committee welcomes the adoption of the National Action Plan on Business and Human Rights. However, the Committee is concerned about the lack of a regulatory framework to ensure that companies operating in the State party, as well as companies domiciled under its jurisdiction acting abroad, fully respect economic, social and cultural rights. (art. 2 (1)).

12. The Committee recommends that the State party:

- (a) Establish a clear regulatory framework for companies operating in the State party to ensure that their activities do not negatively affect the enjoyment of economic, social and cultural human rights;**
- (b) Adopt appropriate legislative and administrative measures to ensure the legal liability of companies domiciled under the State party's jurisdiction for violations of economic, social and cultural rights in their projects abroad committed directly by these companies or resulting from the activities of their subsidiaries;**
- (c) Conduct thorough risk assessments prior to granting licences for arms exports and refuse or suspend such licences when there is a risk that arms could be used to violate human rights, including economic, social and cultural rights.**

13. The Committee draws the attention of the State party to its statement on the obligations of States parties regarding the corporate sector and economic, social and cultural rights (E/2012/22-E/C.12/2011/3, annex VI, sect. A).

International development cooperation

14. While welcoming the achievement by the State party of the international target of allocating 0.7 per cent of gross national product for official development assistance in the framework of international cooperation, the Committee is concerned that in some cases the assistance provided has reportedly been used for activities in contravention of economic, social and cultural rights in the receiving countries. The Committee is particularly concerned about the financial support provided by the State party to private actors for low-cost and private education projects in developing countries, which may have contributed to undermining the quality of free public education and created segregation and discrimination among pupils and students (arts. 2, 13 and 14).

15. The Committee calls upon the State party to adopt a human rights-based approach in its international development cooperation by:

- (a) Undertaking a systematic and independent human rights impact assessment prior to decision-making on development cooperation projects;**
- (b) Establishing an effective monitoring mechanism to regularly assess the human rights impact of its policies and projects in the receiving countries and to take remedial measures when required;**
- (c) Ensuring that there is an accessible complaint mechanism for violations of economic, social and cultural rights in the receiving countries embedded in the framework for development cooperation projects.**

Tax policies

16. The Committee is concerned about the adverse impact that recent changes to the fiscal policy in the State party, such as the increase in the threshold for the payment of inheritance tax and the increase of the value added tax, as well as the gradual reduction of the tax on corporate incomes, are having on the ability of the State party to address persistent social inequality and to collect sufficient resources to achieve the full realization of economic, social and cultural rights for the benefit of disadvantaged and marginalized individuals and groups. While noting the efforts that the State party and, notably, its Overseas Territories and Crown Dependencies are undertaking to tackle tax avoidance and cross-border tax abuse, the Committee is concerned that financial secrecy legislation and permissive rules on corporate tax are affecting the ability of the State party, as well other States, to meet their obligation to mobilize the maximum available resources for the implementation of economic, social and cultural rights (art. 2 (1)).

17. The Committee recommends that the State party:

- (a) Conduct a human rights impact assessment, with broad public participation, of the recent changes introduced to its fiscal policy, including an analysis of the distributional consequences and the tax burden of different income sectors and**

marginalized and disadvantaged groups;

(b) Ensure that its fiscal policy is adequate, progressive and socially equitable and improves tax collection so as to increase resources available for implementing economic, social and cultural rights;

(c) Take strict measures to tackle tax abuse, in particular by corporations and high-net-worth individuals;

(d) Intensify its efforts, in coordination with its Overseas Territories and Crown Dependencies, to address global tax abuse.

Austerity measures

18. The Committee is seriously concerned about the disproportionate, adverse impact that austerity measures introduced in 2010 are having on the enjoyment of economic, social and cultural rights by disadvantaged and marginalized individuals and groups. The Committee is concerned that the State party has not undertaken a comprehensive assessment of the cumulative impact of such measures on the realization of economic, social and cultural rights in a way that is recognized by civil society and national independent monitoring mechanisms (art. 2 (1)).

19. The Committee reminds the State party of its obligations under the Covenant to use the maximum of its available resources with a view to progressively achieving the full realization of economic, social and cultural rights. The Committee draws the State party's attention to the recommendations contained in its open letter of 16 May 2012 to States parties on economic, social and cultural rights in the context of the economic and financial crisis, with regard to the criteria for austerity measures. Such measures must be temporary, necessary, proportionate and not discriminatory, must not disproportionately affect the rights of disadvantaged and marginalized individuals and groups and respect the core content of rights. In that context, the Committee recommends that the State party review its policies and programmes introduced since 2010 and conduct a comprehensive assessment of the cumulative impact of these measures on the enjoyment of economic, social and cultural rights by disadvantaged and marginalized individuals and groups, in particular women, children and persons with disabilities, that is recognized by all stakeholders.

Legal aid

20. The Committee is concerned that the reforms to the legal aid system and the introduction of employment tribunal fees have restricted access to justice in areas such as employment, housing, education and social welfare benefits (art. 2).

21. The Committee recommends that the State party review the impact of the reforms to the legal aid system with a view to ensuring access to justice and the provision of free legal aid services, in particular for disadvantaged and marginalized individuals and groups. The Committee takes note of the information provided by the State party on the ongoing review of the employment tribunal fees and recommends the elimination of such fees.

Equality Act

22. While welcoming the adoption of the Equality Act 2010, the Committee is concerned that some of its provisions, particularly those relevant for enhancing the protection of economic, social and cultural rights without discrimination, are not yet in force, such as the duty of public authorities to consider socioeconomic disadvantage in decision-making processes and the prohibition of intersectional discrimination. The Committee also regrets that, despite its previous recommendation, the Equality Act 2010 is not applicable in Northern Ireland and does not explicitly include all prohibited grounds of discrimination, such as national or social origin (art. 2 (2)).

23. The Committee recommends that the State party bring into force the relevant provisions of the Equality Act that refer to the public authorities' duty with respect to socioeconomic disadvantage, as well as with respect to the prohibition of intersectional discrimination, in order to enhance and guarantee full and effective protection against discrimination in the enjoyment of economic, social and cultural rights. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 16) and urges the State party to provide the same access to an independent equality body and a similar level of protection to rights holders with regard to all grounds of discrimination for all individuals in all jurisdictions of the State party, including Northern Ireland. In this respect, the Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

Asylum seekers

24. The Committee is concerned about the challenges faced by asylum seekers in the enjoyment of economic, social and cultural rights, particularly those that are due to restrictions in accessing employment and the insufficient level of support provided through the daily allowance (art. 2 (2) and (11)).

25. The Committee recommends that the State party increase the level of support provided to asylum seekers, including through the daily allowance, in order to ensure that they enjoy their economic, social and cultural rights, in particular the right to an adequate standard of living. The Committee reiterates its previous recommendation (see E/C.12/GBR/CO/5, para. 27) and encourages the State party to ensure that asylum seekers are not restricted from accessing employment while their claims are being processed.

Equality between men and women

26. The Committee is concerned about persistent underrepresentation of women in decision-making positions in the public and private

sectors. While noting the duty of public authorities to report gender inequalities and the implementation of the Think, Act, Report initiative, the Committee is concerned about the significant gender pay gap, particularly in Scotland (art. 3).

27. The Committee recommends that the State party:

(a) Intensify its efforts to increase the level of representation of women in decision-making positions, in both the public and private sectors;

(b) Adopt effective measures to eliminate the persistent gender pay gap, including by addressing the significant vertical and horizontal gender-based segregation in the labour market, which results in women occupying lower-paid positions and facing obstacles to their enjoyment of career opportunities on an equal footing with men;

(c) Increase its efforts to ensure equal remuneration for work of equal value, without distinction of any kind.

28. 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.

Unemployment

29. The Committee is concerned that, despite the increase in the employment rate, some disadvantaged and marginalized individuals and groups continue to be disproportionately affected by unemployment, including persons with disabilities, young people and persons belonging to ethnic, religious or other minorities (art. 6).

30. Recalling its previous recommendations (see E/C.12/GBR/CO/5, paras. 20 and 21), the Committee recommends that the State party review its employment policies to address the root causes of unemployment and include in its action plan time-bound goals with a specific focus on groups disproportionately affected by unemployment, such as young people, persons with disabilities and persons belonging to ethnic, religious or other minorities.

Working conditions

31. The Committee is concerned at the high incidence of part-time work, precarious self-employment, temporary employment and the use of “zero hour contracts” in the State party, which particularly affect women. It is also concerned about the negative impact that all those forms of employment have on the enjoyment by workers of their right to just and favourable conditions of work. Furthermore, the Committee is concerned about the high number of low-paid jobs, which affects in particular certain sectors, such as the cleaning and home-care sectors (arts. 68).

32. The Committee recommends that the State party:

(a) Take all appropriate measures to progressively reduce the use of temporary employment, precarious self-employment and “zero hour contracts”, including by generating decent work opportunities that offer job security and adequate protection of labour rights;

(b) Ensure that the labour and social security rights of persons in part-time work, precarious self-employment, temporary employment and “zero-hour contracts” are fully guaranteed in law and in practice.

33. The Committee draws the attention of the State party to its general comment No. 23 (2016) on the right to just and favourable conditions of work.

Working conditions of migrant workers

34. The Committee remains concerned about persistent discrimination against migrant workers in the labour market. In particular, it is concerned about the high and increasing concentration of migrant workers in low-paid work and that migrant domestic workers are at greater risk of being victims of abusive working conditions (art. 7).

35. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 22) and urges the State party to:

(a) Adopt all necessary measures to ensure that all migrant workers, including migrant domestic workers, enjoy the same conditions as other workers as regards remuneration, protection against unfair dismissal, rest and leisure, limitation of working hours, social security and maternity leave protection;

(b) Protect migrant workers and migrant domestic workers from all forms of exploitation and abuse, including through the effective implementation of the Modern Slavery Act 2015;

(c) Improve the complaint mechanisms and legal assistance provided to migrant workers;

(d) Ensure effective inspection mechanisms for monitoring the conditions of work of migrant workers and migrant domestic workers.

National minimum wage

36. Despite the increase of the national minimum wage that came into effect on 1 April 2016, the Committee is concerned that it is not sufficient to ensure a decent standard of living in the State party, particularly in London, and that it does not apply to workers under the age of 25 (art. 7).

37. The Committee recommends that the State party ensure that the national minimum wage is periodically reviewed and set at a level sufficient to provide all workers and their families with a decent standard of living. It also recommends that the State party extend the protection of the national minimum wage to those under the age of 25.

Trade union rights

38. The Committee notes with concern the recent adoption of the Trade Union Act 2016, which has introduced procedural requirements that limit the right of workers to undertake industrial action. The Committee is also concerned about the shortcomings in the implementation of the Employment Relations Act 1999 and its Regulation 2010, prohibiting blacklisting of trade union members (art. 8).

39. The Committee recommends that the State party undertake a thorough review of the new Trade Union Act 2016 and take all necessary measures to ensure that, in line with its obligations under article 8 of the Covenant, all workers enjoy their trade union rights without undue restrictions or interference. The Committee urges the State party to take all necessary measures to ensure the effective implementation of the Employment Relations Act 1999 and its Regulation 2010, which prohibit blacklisting of trade union members, and guarantee that all workers who have been blacklisted have access to effective legal remedies and compensation.

Social security

40. The Committee is deeply concerned about the various changes in the entitlements to, and cuts in, social benefits introduced by the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016, such as the reduction of the household benefit cap, the removal of the spare-room subsidy (bedroom tax), the four-year freeze on certain benefits and the reduction in child tax credits. The Committee is particularly concerned about the adverse impact of these changes and cuts on the enjoyment of the rights to social security and to an adequate standard of living by disadvantaged and marginalized individuals and groups, including women, children, persons with disabilities, low-income families and families with two or more children. The Committee is also concerned about the extent to which the State party has made use of sanctions in relation to social security benefits and the absence of due process and access to justice for those affected by the use of sanctions (arts. 9 and 11).

41. The Committee calls upon the State party to:

(a) Review the entitlement conditions and reverse the cuts in social security benefits introduced by the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016;

(b) Restore the link between the rates of State benefits and the costs of living and guarantee that all social benefits provide a level of benefit sufficient to ensure an adequate standard of living, including access to health care, adequate housing and food;

(c) Review the use of sanctions in relation to social security benefits and ensure that they are used proportionately and are subject to prompt and independent dispute resolution mechanisms;

(d) Provide in its next report disaggregated data on the impact of the reforms to social security on women, children, persons with disabilities, low-income families and families with two or more children.

42. The Committee draws the attention of the State party to its general comment No. 19 (2007) on the right to social security.

Childcare

43. Despite the recent plan to increase the provision of childcare services in England and Scotland, the Committee is concerned about the limited availability and high costs of childcare in the State party. The Committee is also concerned that the present modality of shared parental leave does not necessarily result in the increased participation of men in bearing responsibility for childcare (art. 10).

44. The Committee recommends that the State party increase its efforts to ensure the availability, accessibility and affordability of childcare services throughout the State party, particularly in Scotland and Northern Ireland. The Committee also recommends that the State party review the system of shared parental leave and modify it with a view to improve the equal sharing of responsibilities within the family and in the society.

Violence against women with disabilities

45. While noting the adoption in March 2016 of a national strategy on gender-based violence, the Committee regrets the lack of information specifying how it effectively addresses violence against women and girls with disabilities (art. 10).

46. The Committee requests the State party to include in its next periodic report information on the impact of the implementation of the national strategy on gender-based violence, particularly with regard to violence against women and girls with disabilities.

Poverty

47. The Committee notes with concern that certain groups of the population are more affected by, or at an increased risk of, poverty, in particular persons with disabilities, persons belonging to ethnic, religious or other minorities, single-parent families and families with

children. The Committee notes with concern that the State party does not have a specific definition of poverty and that the new Life Chances Strategy, as contained in the Welfare Reform and Work Act 2016, has repealed the duty to meet time-bound targets on child poverty, which remains high and is projected to increase in the future, especially in Northern Ireland (art. 11).

48. The Committee recommends that the State party take steps to introduce measures to guarantee targeted support to all those living in poverty or at risk of poverty, in particular persons with disabilities, persons belonging to ethnic, religious or other minorities, single-parent families and families with children, and adopt an anti-poverty strategy in Northern Ireland. The Committee also urges the State party to develop a comprehensive child poverty strategy and reinstate the targets and reporting duties on child poverty. In that regard, the Committee draws the attention of the State party to its statement on poverty and the International Covenant on Economic, Social and Cultural Rights, adopted on 4 May 2001 (E/C.12/2001/10).

Adequate housing

49. The Committee is concerned about the persistent critical situation in terms of the availability, affordability and accessibility of adequate housing in the State party, in part as a result of cuts in State benefits. The Committee also notes with concern that the lack of social housing has forced households to move into the private rental sector, which is not adequate in terms of affordability, habitability, accessibility and security of tenure. The Committee reiterates its previous concern that Roma, Gypsies and Travellers continue to face barriers in accessing adequate and culturally appropriate accommodation across the State party, with adequate access to basic services such as water and sanitation. The Committee also remains concerned about persistent inequality in the access to adequate housing in North Belfast, affecting Catholic families in particular (art. 11).

50. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 29) and urges the State party to:

(a) Adopt all necessary measures to address the housing deficit by ensuring a sufficient supply of housing, in particular social housing units, especially for the most disadvantaged and marginalized individuals and groups, including middle- and low-income individuals and households, young people and persons with disabilities;

(b) Take specific measures to deal with the inability of renters in the private rental sector to pay rents on account of the limits imposed on housing allowance and effectively regulate the private rental sector, including through security of tenure protection and accountability mechanisms;

(c) Take corrective measures to address bad housing, including substandard housing conditions and uninhabitable housing;

(d) Ensure adequate access to culturally appropriate accommodation and stopping sites for the Roma, Gypsy and Traveller communities, as appropriate; take steps to avoid all forms of discrimination in the provision of accommodation; and repeal the Unauthorised Encampments (Northern Ireland) Order 2005;

(e) Intensify its efforts to address the challenges to overcoming persistent inequalities in housing for Catholic families in North Belfast, including through meaningful participation by all actors in decision-making processes related to housing.

Homelessness

51. The Committee is concerned about the significant rise in homelessness in the State party, particularly in England and Northern Ireland, affecting mainly single persons, families with children, victims of domestic violence, persons with disabilities and asylum seekers. The Committee also notes with concern the adverse impact that reforms of social security and reductions in financial support to local authorities have had on the right to adequate housing, especially with regard to the criminalization of rough sleeping in the State party (art. 11).

52. The Committee urges the State party to take immediate measures, including by allocating appropriate funds to local authorities, to reduce the exceptionally high levels of homelessness, particularly in England and Northern Ireland, and to ensure adequate provision of reception facilities, including emergency shelters and hostels, as well as social rehabilitation centres. The Committee urges the State party to adopt all necessary measures to avoid the criminalization of rough sleeping in the State party and to develop appropriate policies and programmes to facilitate the social reintegration of homeless persons. In this respect, the Committee draws the attention of the State party to its general comment No. 4 (1991) on the right to adequate housing.

Right to food

53. The Committee is concerned about the lack of adequate measures adopted by the State party to address the increasing levels of food insecurity, malnutrition, including obesity, and the lack of adequate measures to reduce the reliance on food banks. The Committee is also concerned about the lack of adequate measures adopted to increase the rates of breastfeeding (art. 12).

54. The Committee recommends that the State party develop a comprehensive national strategy for the protection and promotion of the right to adequate food in order to address food insecurity in all jurisdictions of the State party and to promote healthier diets. This should include policies in support of breastfeeding in accordance with the resolutions of the World Health Assembly, including breastfeeding breaks or breastfeeding facilities in educational institutions and workplaces. The Committee also recommends that the State party introduce higher taxes on junk foods and sugary drinks and consider adopting strict regulations on the marketing of such products, while ensuring improved access to healthy diets. The Committee refers the State party to its general comment No. 12 (1999) on the right to adequate food and the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of

national food security adopted by the Food and Agriculture Organization of the United Nations as well as to the International Code of Marketing of Breast-milk Substitutes.

Access to health

55. The Committee is concerned that refugees, asylum seekers and refused asylum seekers, as well as Roma, Gypsies and Travellers, continue to face discrimination in accessing health-care services. The Committee notes that the Immigration Act 2014 has further restricted access to health services by temporary migrants and undocumented migrants (art. 12).

56. The Committee recommends that the State party take steps to ensure that temporary migrants and undocumented migrants, asylum seekers, refused asylum seekers, refugees and Roma, Gypsies and Travellers have access to all necessary health-care services and reminds the State party that health facilities, goods and services should be accessible to everyone without discrimination, in line with article 12 of the Covenant. 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.

Mental health

57. Despite the legal duty introduced by the Health and Social Care Act 2012 to deliver "parity of esteem" between mental and physical health, the Committee is concerned about the lack of adequate resources provided to mental health services. The Committee notes with concern the information on shortcomings in the implementation of the mental health legislation and the lack of adequate mental health care provided to persons in detention (art. 12).

58. The Committee recommends that the State party ensure the effective implementation of the duty introduced by the Health and Social Care Act 2012 and allocate sufficient resources to the mental health sector. The Committee urges the State party to continue its efforts to guarantee the effective implementation of the mental health legislation in all jurisdictions of the State party and to ensure the accessibility, availability and quality of mental health care, including for persons in detention.

Social care for older persons

59. The Committee remains concerned about reports of persistent, serious shortcomings in the care and treatment of older persons, including those with dementia. The Committee is also concerned about reports that relate the increase in mortality of older persons to the reduction of pension benefits (art. 12).

60. The Committee reiterates its previous recommendation (see E/C.12/GBR/CO/5, para. 34) and urges the State party to take all necessary measures to ensure adequate pension benefits, care and treatment of older people, including by carrying out training programmes for doctors and health-care professionals about the rights of older persons and the treatment of dementia and Alzheimer's disease.

Termination of pregnancy

61. The Committee is concerned that termination of pregnancy in Northern Ireland is still criminalized in all circumstances except when the life of the woman is in danger, which could lead to unsafe abortions and disproportionately affects women from low-income families who cannot travel to other parts of the United Kingdom (art. 12).

62. The Committee recommends that the State party amend the legislation on termination of pregnancy in Northern Ireland to make it compatible with other fundamental rights, such as women's rights to health, life and dignity. In this respect, the Committee draws the attention of the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health.

Education

63. While noting the efforts made by the State party to reduce inequalities in education, the Committee is still concerned about the persistence of significant inequalities in educational attainment, especially for children belonging to ethnic, religious or other minorities and children from low-income families, which has the effect of limiting social mobility in the State party (art. 13).

64. The Committee recommends that the State party take all necessary measures to reduce the attainment gaps, particularly among children belonging to low-income families, including by reconsidering the austerity programmes adopted and effectively implementing measures aimed at reducing de facto discrimination and segregation of students based on their religion, national or social origin, as well as their economic background.

Higher education

65. While noting that various systems to support access to higher education are in place in the State party, the Committee is concerned that university fees are increasing, which affects equal access to higher education (art. 13).

66. The Committee recommends that the State party take all necessary steps to reduce higher education fees, with a view to making higher education equally accessible to all, in accordance with capacity, and by progressively introducing free higher education.

Irish language

67. The Committee remains concerned about the lack of effective measures adopted by the State party to promote the use of the Irish language in Northern Ireland (art. 15).

68. The Committee reiterates its previous recommendation (see E/C.12/GBR/CO/5, para. 37) and recommends that the State party adopt an Irish language act.

D. Other recommendations

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

70. The Committee encourages the State party to consider ratifying the core human rights instruments to which it is not yet party, namely 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 Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

71. 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 this 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).

72. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society, at national, provincial and territorial levels, particularly among parliamentarians, public officials and judicial authorities, and to inform the Committee, in its next periodic report, about the steps taken to implement the recommendations contained herein. The Committee also encourages the State party to engage 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. Furthermore, the Committee requests the State party to ensure effective coordination with all devolved administrations, particularly Northern Ireland, and with its Overseas Territories and Crown Dependencies at all stages of the implementation of the recommendations contained in the present concluding observations and in the preparation of its next periodic report.

73. The Committee requests the State party to submit its seventh periodic report, to be prepared in accordance with the reporting guidelines adopted by the Committee in 2008 (E/C.12/2008/2), by 30 June 2021. It also invites the State party to update its common core document as necessary and in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.6, chap. I).