



**IDA's Compilation of Disability Related  
Extracts of Concluding Observations  
of the Committee on Economic, Social  
and Cultural Rights**

**CESCR Committee's 74th Session  
(25 Sep 2023- 13 Oct 2023)**

<b>Committee on Economic, Social and Cultural Rights – 74<sup>th</sup> Session - 2023</b>	
Total number of Concluding Observations	6
Number of countries receiving recommendations on persons with disabilities	6
Percentage of countries receiving recommendations on persons with disabilities	100%
Number of recommendations including explicit references on disability	19

**ARMENIA - E/C.12/ARM/CO/R.4**

**BRAZIL – E/C.12/BRA/CO/3**

**CHAD– E/C.12/TCD/CO/4**

**FRANCE– E/C.12/FRA/CO/5**

**STATE OF PALESTINE - E/C.12/PSE/CO/1**

**QATAR - E/C.12/QAT/CO/1**

**Official versions of Concluding Observation are available on the website devoted to the session [here](#).**

## ARMENIA - E/C.12/ARM/CO/R.4

### **Refugees, asylum seekers and internally displaced persons**

23. While the Committee notes the challenges faced by the State party owing to the influx of a high number of refugees and the evolving humanitarian situation in the country, the Committee is concerned about the limited enjoyment of certain economic, social and cultural rights especially the insufficient access to adequate housing, health care, education and other basic services. It is particularly concerned about the high levels of poverty among asylum seekers, refugees, and internally displaced persons. In this regard the Committee is also concerned about the specific obstacles faced by persons with disabilities, women, children and older persons, and insufficient measures taken to address their specific needs (arts. 2 (2), 11, 12, 13 and 14).

**24. The Committee recommends that the State party pursue its efforts to protect refugees, asylum seekers and internally displaced persons and guarantee their enjoyment of the Covenant rights particularly securing adequate housing, health care, education, and other basic services. The Committee also recommend that the State party pay special attention to the needs of persons with disabilities, women, children, and older persons and removing the barriers they face with regard to access to shelters, health care service and psychosocial counselling.**

### **Right to work**

27. Despite the measures taken by the State party to promote employment, the Committee is concerned about the high rate of unemployment and lack of access to decent work, particularly among young people, women, and persons with disabilities. The Committee is also concerned about the high number of people who are engaged in the informal economy and do not enjoy labour protections or access to social security (art. 6).

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

**(a) Increase its efforts to reduce unemployment and improve access to decent work, paying particular attention to young people, women, and persons with disabilities;**

### **Protection of family and children**

41. The Committee is concerned about the prevalence of child labour in the State party, particularly in the informal economy, and the lack of legislative provisions addressing this issue. The Committee is further concerned about the persistence of institutionalization affecting children in situations of vulnerability, including children with disabilities and those in situations of poverty (art. 10).

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

**(d) Support and facilitate care for children in their families of origin, including single-parent families, implement mechanisms to expand and stimulate the reintegration of children into their families; and encourage foster families to adopt children regardless of their age or disability and providing the necessary training and support to suitable families to appropriately take care of a child with a disability.**

### **Right to education**

55. Despite the reforms carried out by the State party, including of the Armenian Development Strategy 2014-2025, the Committee is concerned about the shortcomings in the quality of school infrastructure, materials, the lack of sufficient resources and the insufficient number of teachers particularly in rural areas. The Committee is also concerned about the inadequate

availability of inclusive education, in addition to the lack of proper infrastructure adapted to the needs of children with disabilities, and that therapeutic, pedagogical, and psychological support is not always adequately available. Furthermore, the Committee is concerned about the high rate of drop-out in primary and secondary schools particularly among most disadvantaged and marginalised children (arts. 13–14).

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

**(b) Continue to expand inclusive education opportunities for children with disabilities; including by improving the educational infrastructure to ensure the accessibility for persons with disabilities to all schools and universities and to ensure adequate availability of therapeutic, pedagogical, and psychological support by trained professionals.**

**(c) Strengthen the measures and programmes in place in order to address the problem of access to school for children in disadvantaged and marginalized situations particularly, children from families living in poverty, girls, children with disabilities, national minorities, and children living in both urban and remote rural areas.**

#### **Impact of the COVID-19 pandemic on education**

57. The Committee is concerned about the deepening educational inequalities disproportionately affecting children from households living in poverty, children with disabilities and children living in rural areas during the COVID-19 pandemic owing to school closures and distance learning. (arts. 12, 13 and 14).

**58. The Committee recommends that the State party take the necessary measures to make up for the learning opportunities lost, owing to the COVID-19 pandemic, by disadvantaged and marginalized children, and to prevent further disruption of education.**

#### **BRAZIL – E/C.12/BRA/CO/3**

##### **Data collection and access to information**

11. The Committee notes the establishment of the National Human Rights Observatory. It is, however, concerned about the lack of systematic collection of data disaggregated by prohibited grounds of discrimination, which hinders a full understanding of the progressive realization of Covenant rights. The Committee is also concerned about reports of limited access to information of public interest concerning economic, social and cultural rights.

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

**a) Improve its system of data collection, with a view to producing reliable data disaggregated by race, colour, ethnicity, gender, sex, age, language, religion, disability, national origin, and region urban/rural and other relevant criteria and to identify those groups that are disadvantaged in their exercise of economic, social and cultural rights; disabilities, including women and children with disabilities, as also raised by the Committee on the Rights of Persons with Disabilities.<sup>1</sup>**

##### **Climate change mitigation**

17. Taking note of the measures adopted concerning climate change mitigation, the Committee is concerned that the State party is not on track to meet its nationally determined contribution under the Paris Agreement.

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

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<sup>1</sup>[Ibid., para. 7.](#)

c) Refers to the Committee's statement on climate change and the Covenant, adopted on 31 October 2018, as well as to the joint statement on human rights and climate change issued by the Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Cultural Rights, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities, adopted on 16 September 2019.

### **Right to Work**

27. The Committee takes note of the adoption of the Sustainable Employment (Trabalho Sustentável) and Access to Employment (Acessuas Trabalho) programs. It is, however, concerned by the high unemployment and underemployment rates among disadvantaged and marginalized individuals and groups in rural and peripheral areas (art. 6).

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

a) Adopt a comprehensive employment strategy with specific goals to boost job creation, focusing on youth, women, persons with disabilities, and migrants, notably people of African descent belonging to one or more of these groups, in the north and northeast regions, and be guided by the Committee's general comment No. 18 (2005) on the right to work;

d) Continue prioritizing high-quality technical and vocational training programs tailored to labour market needs, with a focus on women, youth, people with disabilities, and migrants, particularly people of African descent within these groups.

### **Right to education**

67. While noting the measures taken by the State party, the Committee is concerned at:

b) The persistent inequalities in access to education affecting children living in rural and peripheral areas and children with disabilities in particular;

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

b) Redouble its efforts to improve access to school for children in the north and northeast regions, and children with disabilities in particular;

## **CHAD – E/C.12/TCD/CO/4**

### **Collecte de données**

7. Le Comité regrette que l'État partie ait fourni peu de données chiffrées et aucune donnée ventilée nécessaires permettant de déterminer la jouissance effective des droits économiques, sociaux, et culturels par les catégories de titulaires de droits et des groupes. Le Comité note toutefois que l'État partie est en train d'établir une agence nationale de statistiques.

8. Le Comité recommande à l'État partie d'accélérer l'établissement d'une agence nationale de statistiques, dotée de ressources financières et techniques suffisantes pour collecter, analyser et diffuser des données complètes et comparables, afin de déterminer la jouissance effective des droits économiques, sociaux, et culturels par les catégories de titulaires de droits et des groupes. Le Comité invite l'État partie à faire figurer, dans son prochain rapport périodique, les statistiques comparatives les plus récentes, ventilées en fonction du sexe, du genre, de l'âge, de la zone géographique, de la situation de handicap, de la religion, de l'origine ethnique et d'autres paramètres nécessaires, afin de permettre l'évaluation des progrès accomplis dans la réalisation des droits énoncés dans le Pacte.

## **Droits à l'éducation**

45. Le Comité prend note des efforts fournis par l'État partie pour assurer la gratuité de l'éducation. Il demeure néanmoins préoccupé par :

- a) Les informations selon lesquelles environ 31% des filles et 14% des garçons ne fréquentent pas l'école primaire, malgré le cadre législatif et politique qui garantit 10 ans d'éducation de base obligatoire et gratuite ;
- b) Les informations selon lesquelles la plupart des fonds pour l'enseignement secondaires proviennent des frais de scolarité, les parents d'élèves contribuant à plus de 90% à ces fonds contre moins de 1% pour l'État partie, ce qui a pour conséquence de limiter l'accès à l'éducation pour les individus et les groupes les plus défavorisés ;
- c) La faible qualité de l'enseignement due en partie au nombre insuffisant d'enseignants ;
- d) La persistance des inégalités dans l'accès à l'éducation, y compris entre les filles et les garçons, notamment dans les régions reculées (art. 13 et 14).

46. **Le Comité recommande à l'État partie :**

**d) De s'attaquer aux causes de l'abandon scolaire, particulièrement chez les filles, y compris les mariages d'enfants, les grossesses précoces, les tâches ménagères excessives, le manque de sécurité et la discrimination fondée sur le genre et le handicap ;**

## **Autres recommandations**

49. **Le Comité recommande à l'État partie d'envisager de ratifier les principaux instruments relatifs aux droits de l'homme auxquels il n'est pas encore partie, à savoir la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées, le Protocole facultatif à la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes, le Protocole facultatif à la Convention relative aux droits de l'enfant établissant une procédure de présentation de communications, et le Protocole facultatif se rapportant à la Convention relative aux droits des personnes handicapées, la Convention de 1954 relative au statut des apatrides, la Convention de 1961 sur la réduction des cas d'apatridie, les Protocoles à la Charte africaine des droits de l'Homme et des peuples relatifs aux droits de la femme en Afrique, aux droits des personnes âgées et à ceux des personnes vivants avec un handicap.**

## **FRANCE– E/C.12/FRA/CO/5**

### **Droit au travail**

20. Le Comité accueille avec satisfaction la baisse constante du taux de chômage enregistrée pendant ces dernières années. Le Comité est toutefois préoccupé par les informations selon lesquelles certains groupes, en particulier les Roms, les personnes en situation de handicap, les personnes appartenant à des groupes minoritaires, les femmes, les jeunes et les migrants, continuent de rencontrer des difficultés pour accéder au travail (art. 6).

21. **Réitérant les recommandations qu'il a déjà formulées dans ses précédentes observations finales<sup>2</sup>, le Comité recommande à l'État partie de continuer à renforcer sa politique de l'emploi afin de s'attaquer aux causes profondes du chômage et d'intégrer un plan d'action avec des objectifs précis et assortis de délais pour mesurer régulièrement les progrès, en tenant compte spécifiquement des besoins des groupes touchés de manière disproportionnée par le chômage, dont les jeunes, les personnes en situation de handicap, les femmes et les personnes appartenant à une minorité ethnique, y compris les Roms, les**

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<sup>2</sup> [E/C.12/FRA/CO/4.par.23](#)

des personnes issues de l'immigration notamment nord-africaine et subsaharienne. Le Comité encourage à l'État partie à prendre en compte l'observation générale n° 18 (2005) du Comité sur le droit au travail.

#### **Opération Wuambushu**

44. Le Comité exprime sa préoccupation concernant l'opération « Wuambushu » qui s'est déroulée à Mayotte visant la démolition de bidonvilles ce qui a entraîné l'expulsion de nombreuses familles de leurs logements (art. 11).

**45. Le Comité recommande à l'État partie de prendre les mesures nécessaires pour assurer que les personnes dont le logement a été détruit ne se retrouvent sans abri et à ce qu'une solution adéquate d'hébergement leur soit proposée. Le Comité recommande à l'État partie de veiller à ce que toutes mesures visant à l'amélioration des conditions de logements intègrent une approche de respect des droits de l'homme notamment le respect des droits des enfants, des personnes en situation de handicap et des personnes âgées.**

#### **STATE OF PALESTINE - E/C.12/PSE/CO/1**

##### **Right to work**

28. The Committee is concerned about the persistent high level of unemployment, particular in Gaza, and the stark overrepresentation of persons with disabilities and women among the unemployed. The Committee is also concerned about reports that the policies of banking and financial institutions restrict access to loans for women working in the agricultural sector (arts. 3 and 6).

**29. The Committee recommends that the State party increase its efforts to address unemployment, for example by implementing targeted public sector employment schemes paying particular attention to unemployment in Gaza, persons with disabilities, and women. The Committee also recommends that the State party establish loan schemes targeting women working in the agricultural sector.**

##### **Right to education**

65. The Committee is concerned about reports of non-attendance and dropouts in the compulsory education system, especially among children with disabilities and Bedouin children. The Committee is also concerned about the State party's inability to ensure adequate funding for the education system in a context of austerity and reduced donor support (arts. 13-14).

**66. The Committee recommends that the State takes all necessary measures to combat non-attendance and dropouts in the compulsory education system, especially children with disabilities, and Bedouin children. The Committee also recommends that the State party allocates sufficient resources to the education system, including by engaging with international partners and donors to this effect. In this regard, the Committee recalls its General Comment 11 on plans of action for primary education and the General Comment No. 13 on the right to education.**

#### **QATAR - E/C.12/QAT/CO/1**

##### **D. Other recommendations**

57. The Committee recommends that the State party consider ratifying the core human rights instruments to which it is not yet a 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; the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The Committee also recommends that the State party ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities, which was signed by the State party in 2007.