



The UN Economic and Social Council is the overarching mechanism for addressing women's inequality at international level. One of its committees, the Committee on Economic, Social and Cultural Rights, is meeting in May 2009 and will review progress made by the UK on its obligations for implementing a "covenant" to address inequality.

Engender intends to facilitate the development of a shadow report (which we will submit in April 2009) on behalf of women in Scotland; the report will express our concerns in key areas and suggest questions that would be appropriate for the Committee to ask the UK government. The following is a list of issues that the government has been asked to respond to.

We would like to know what you and/or your organisation would like to see submitted under any or all of these issues. An e-copy of this document can be sent to you by contacting our Policy Lead, Carol Flack: carol.flack@engender.org.uk

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland concerning the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/GBR/5, E/C.12/GBR/5/Add.1, E/C.12/GBR/5/Add.2)*

I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED

1. Please provide further detailed information on the measures taken by the State party to increase awareness of the provisions of the Covenant and their application among judges, public officials, police and law enforcement officers, medical practitioners, nurses and other health-care professionals, teachers, social workers and the public at large, including in the Crown Dependencies and the Overseas Territories

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5) Article 2, paragraph 1 - International assistance and cooperation

2. Please provide information on the measures foreseen for increasing the level of official development assistance (ODA) to 0.7 per cent of gross national product (GDP), as recommended by the United Nations. (E/C.12/GBR/5, paras. 55-70 and 80-83) Article 2, paragraph 2 - Non-discrimination

3. According to reports received, persons belonging to racial, ethnic and national minorities, including Roma and Muslim persons, continue to experience discrimination in the fields of employment, housing, health and education. Please provide detailed information on the implementation of the various legislative, regulatory and policy measures adopted by the State party to eliminate racial discrimination and increase community cohesion, and indicate which remedies are available to victims of racial discrimination in case of violations of their economic, social and cultural rights. (E/C.12/GBR/5, paras. 102-106)

4. Please provide updated information on progress made since the adoption of the Discrimination Law Review in February 2005 in reviewing the existing anti-discrimination legislative framework and adopting a single equality act covering all forms of discrimination on the grounds of race, religion, gender, sexual orientation, disability and age. Please also provide more specific information on the general anti-discrimination framework existing in the Overseas Territories and Crown Dependencies. (E/C.12/GBR/5, paras. 199-204; E/C.12/GBR/5/Add.1, paras. 26-27, 85, 336-339, 354, 606-610; E/C.12/GBR/5/Add.2, paras. 8-10, 251-252, 393 and 636; see also CCPR/C/GBR/6, paras. 256-272)

5. Please provide updated information, disaggregated on the basis of gender and national or ethnic origin, on the number of requests for refugee status presented in the last five years, as well as statistics on the number of accepted and rejected applications, disaggregated by country of origin, gender, and, where relevant, grounds for rejection. Please also provide additional information on the legislation and policies of the State party regarding asylum-seekers and refugees, and indicate which measures the State party has adopted and implemented to protect the economic, social and cultural rights of asylum-seekers during the refugee status determination process. (E/C.12/GBR/5, paras. 192-198)

6. Please provide detailed information, including statistical data disaggregated by country of origin, gender, and documented/undocumented status, on migrants living in the territory of the State party, and indicate the measures adopted by the State party to combat discrimination against them and their families in the fields of employment, housing, health care, education and culture.

7. Please provide information, including recent statistical data, on measures taken by the State party to ensure the equitable representation of persons belonging to ethnic minorities in the Parliament, the devolved Assemblies and Parliaments, and in local councils, as well as in the Government, the judiciary and the public administration. E/C.12/GBR/Q/5

Article 3 - Equal rights of men and women

8. Please provide information on the progress made, and the obstacles encountered, in addressing the wage gap and career inequalities between men and women existing in the State party. In particular, please provide updated information on measures adopted to

implement the recommendations contained in the report entitled "Shaping a Fairer Future", presented by the Women and Work Commission in February 2006. (E/C.12/GBR/5, annex I: report under ILO Convention No. 111, paras. 29-32)

(Close the Gap will provide input re occupational segregation and the pay gap.)

9. Please provide updated information, including recent statistical data, on progress made by the State party in ensuring the equitable representation of women in public life, particularly at senior levels of the executive and judiciary and in Parliament, and also in the private sector. (E/C.12/GBR/5, paras. 199-204; E/C.12/GBR/5/Add.2, paras. 253, 395-397 and 637; see also CCPR/C/GBR/6, paras. 299, 301-302 and 314)

III. ISSUES RELATING TO THE SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6 - The right to work

10. Please provide detailed information on progress made in the implementation of the different strategies, including the New Deal for Skills, adopted by the State party to provide professional training and employment opportunities for persons belonging to specific groups, such as single parents, persons over 50 years of age, persons with disabilities and persons belonging to racial, ethnic and national minorities. (E/C.12/GBR/5, annex I: report under ILO Convention No. 111, paras. 58-66 and 88-95; E/C.12/GBR/5, annex II: report under ILO Convention No. 122, paras. 77-105)

11. Please provide detailed information on the employment/unemployment rate of persons with disabilities, including statistical data disaggregated by age, gender and type of disability. Please also provide updated information on progress made by the State party in the implementation of the various legislative measures and policies it has adopted to combat discrimination and promote equality of opportunities for persons with disabilities in the field of employment. (E/C.12/GBR/5, annex I: report under ILO Convention No. 111, paras. 107-108 ; E/C.12/GBR/5, annex II: report under ILO Convention No. 122, paras. 15-26)

12. According to reports received, migrant workers from the Central and Eastern European countries that joined the European Union in May 2004 are subject to significant forms of exploitation in the field of employment, including low rates of pay, often below the national minimum wage, delays in the payment of wages, excessively long working hours, withholding of travel documents, violence and abuse at workplace, and unsafe/unhealthy conditions of work. Please provide detailed information on the implementation of the various legislative and policy measures adopted by the State party to protect migrant workers, including undocumented migrant workers and those employed in the informal economy, from all forms of discrimination and abuse at the workplace. E/C.12/GBR/Q/5

Article 7 - The right to just and favourable conditions of work

13. Please indicate whether the national minimum wages are sufficient to enable workers and their families to enjoy an adequate standard of living. Please also provide information on the implementation of the measures adopted by the State party to prevent and punish violations of the minimum wage standards. With regard to those Crown Dependencies and Overseas Territories where there is no legislation providing for minimum wages, please indicate which mechanisms have been established to guarantee a decent standard of living to workers and members of their families. (E/C.12/GBR/5, paras. 107-108 and 211-213; E/C.12/GBR/5/Add.1, paras. 42, 91-92, 361-373, 401-403 and 611; E/C.12/GBR/5/Add.2, paras. 96, 267-269, 411 and 466)

14. Please provide updated information on the legislation and policies existing in the State party with regard to (a) obligatory rest period; (b) overtime work and remuneration rates; (c) paid public holidays; and (d) periodic holidays with pay.

Article 8 - Trade union rights

15. According to the European Committee of Social Rights, the legislation of the State party on the right to strike is not in conformity with article 6, paragraph 4, of the European Social Charter because (a) the scope for workers to defend their interests through lawful collective action is excessively circumscribed; (b) the requirement to give notice to an employer of a ballot on industrial action is excessive; and (c) the protection of workers against dismissal when taking industrial action is insufficient. Please comment. (E/C.12/GBR/5, paras. 109-115 and 218)

Article 9 - The right to social security

16. Please provide more detailed information on the pension reform, as well as on other measures the State party intends to take in order to cover the higher pension and health costs arising from the ageing of its population. (E/C.12/GBR/5, paras. 227-228)

17. Please provide more detailed information on measures adopted in the Crown Dependencies to ensure that all women have the right to paid maternity leave or leave with adequate social security benefits for an adequate period of time before and after the birth of their babies. (E/C.12/GBR/5/Add.1, paras. 146, 444, 459, 612 and 616)

Article 10 - Protection of the family, mothers and children

18. Please provide detailed information on the number of prosecutions and convictions, and on the sanctions imposed, with regard to criminal offences relating to gender violence, including rape, as well as disaggregated data on the number of women who have been hosted in shelters for victims of gender violence in the last five years. (E/C.12/GBR/5, paras. 116-125)

(Input will be provided by the national violence against women sector here.)

19. Please provide updated information on the prevalence of corporal punishment in the home, in schools and in alternative care settings, also with regard to Crown Dependencies and the Overseas Territories. (E/C.12/GBR/5, paras. 126-130)

20. Please provide detailed information on the measures adopted by the State party to combat trafficking in human beings, in particular women and children, and to provide assistance and support to the victims of trafficking. Please also provide information on the implementation of such measures, with particular regard to disaggregated statistical data concerning the number of persons who have been prosecuted and convicted for trafficking in the last five years.

21. Please provide detailed information regarding the number of pending applications from spouses and children of immigrants seeking entry in the territory of the State party for the purpose of family reunification. Please also explain which measures have been taken to reduce delays in clearing these applications, in line with the State party's obligations under the Covenant.

Article 11 - The right to an adequate standard of living

22. In addition to the information provided in the report, please provide updated information on the progress made by the State party in combating poverty and social exclusion. Please include recent statistical data, disaggregated by age, gender, race, and ethnic or national origin, on the number of persons living below the poverty line. (E/C.12/GBR/5, paras. 131-148; E/C.12/GBR/5/Add.1, paras. 35-40, 155-158, 469 and 513)

23. Please provide updated information on the implementation of the various measures adopted by the State party to prevent and tackle homelessness, including recent statistical data, disaggregated by age, gender, race, and ethnic or national origin, on the number of persons who are homeless or live in temporary or insecure accommodation. (E/C.12/GBR/5, paras. 149-168; E/C.12/GBR/5/Add.1, paras. 50-51, 176, and 485-486)

24. According to reports received, Roma/Gypsies and Travellers who prefer to live in mobile homes are faced with a serious shortage of adequate stopping sites. It also appears that a considerable part of the non-settled Roma/Gypsy and Traveller population live in unauthorized camps lacking basic infrastructure and services and are constantly exposed to the threat of eviction, as well as to harassment and intimidation by the local population. Please provide detailed information on the implementation of the measures adopted by the State party to remedy the shortage of adequate stopping sites for the Roma/Gypsy and Traveller population, as well as to improve the housing situation of Roma/Gypsies and Travellers and their right to security of tenure. (E/C.12/GBR/5, paras. 161, 284 and 291)

25. Please provide information on the measures taken by the State party to ensure that the

organization of the Olympic Games in London in 2012 does not have a negative impact on the right to adequate housing and other associated rights, such as the prohibition of forced evictions, the rights to participation and information, the requirement of non-discrimination, and legal security of tenure. In particular, please provide detailed information on the measures aimed at protecting vulnerable communities and individuals that may be disproportionately affected by Olympics-related urban redevelopment, including the homeless, the poor and minority groups, such as Roma/Gypsies and Travellers. (E/C.12/GBR/5, para. 346)

Article 12 - The right to the highest attainable standard of physical and mental health

26. Please provide further information on the implementation of the measures described in the report to reduce the existing inequalities in access to health care, and to ensure that vulnerable individuals and groups – including persons belonging to racial, ethnic and national minorities, communities living in poor areas, older persons, homeless people, persons with mental disabilities and asylum-seekers and refugees – have equal access to adequate health-care facilities and services. (E/C.12/GBR/5, paras. 302-305).

27. Please provide detailed information on the incidence of teenage pregnancies and abortions in the State party, and indicate which measures the State party has adopted to address these problems. (E/C.12/GBR/5, paras. 133 and 305)

28. In addition to the information provided in the reports, please provide detailed information, including recent statistical data disaggregated by age, gender, race, and ethnic or national origin, on the number of persons living with HIV/AIDS in the Overseas Territories and the Crown Dependencies, and indicate the measures adopted by the State party to prevent the spreading of the disease and protect the human rights and dignity of persons living with HIV/AIDS. (E/C.12/GBR/5, paras. 173-174; E/C.12/GBR/5/Add.2, paras. 191-193, 336, 391 and 707)

29. Please provide information on the measures adopted State party to prevent and combat alcohol and drug abuse, particularly among young persons.

30. Please provide detailed information, including recent statistical data disaggregated by age, gender, race, and ethnic or national origin, on the incidence of overweight and obesity in the State party, and indicate the measures adopted to reduce their prevalence, especially among children and young persons, and promote a healthy balanced diet and an increased participation in physical activities. (E/C.12/GBR/5, paras. 277-282, 305, 313-316 and 318; E/C.12/GBR/5/Add.1, paras. 159 and 532; E/C.12/GBR/5/Add.2, paras. 171, 318 and 428)

Articles 13 and 14 - The right to education

31. Please provide detailed information on the measures adopted by the State party to reduce the high dropout rates of students belonging to racial, ethnic or national minorities

and the significant disparities in educational outcomes between them and other students. (E/C.12/GBR/5, paras. 326-337)

32. Please provide detailed information on measures adopted by the State party to facilitate access to education for Roma/Gypsy and Traveller children, including measures to ensure their participation in mainstream education. E/C.12/GBR/Q/5

33. Please provide an explanation for the unequal treatment between nationals of Member States of the EU and nationals of other States as regards the reduction of fees and the allocation of financial assistance, as well as for the alleged less favourable treatment that EU students receive with regard to financial assistance *vis-à-vis* national students. (E/C.12/GBR/5, paras. 175-179)

Article 15 - Cultural rights

34. Please provide additional information on the implementation of the measures adopted by the State party to preserve regional and minority languages and to ensure the right of persons belonging to linguistic minorities to use their regional and minority languages and to enjoy their cultures, with particular regard to measures aimed at encouraging, and facilitating access to, radio and television broadcasting in regional and minority languages. (E/C.12/GBR/5, paras. 347-349 and 369, 390-394)

35. Please provide information as to whether persons belonging to linguistic minorities have the right to use their own language before the courts and other public authorities.
