

## **Summary of concluding observations relating to gender, United Kingdom of Great Britain and Northern Ireland**

### **UN Committee on Economic, Social and Cultural Rights**

**42<sup>nd</sup> session**

**4 – 22 May 2009**

#### **1.0 Background**

- 1.1 The Committee on Economic, Social and Cultural Rights considered the combined fourth to fifth periodic report of the United Kingdom on the implementation of the International Covenant on Economic, Social and Cultural Rights.
- 1.2 This included two days of hearings on the 12 and 13 May 2009, at which a delegation from the UK Government presented its report and responded to questions from the Committee.
- 1.3 NGOs from Scotland and Northern Ireland, including representatives from Engender and the Scottish Women's Budget Group, met with members of the Committee at an informal meeting on 19 May. Engender, which has UNHCHR NGO status, submitted a shadow report to the UK Government's report.

#### **2.0 General issues**

- 2.1 The Committee noted the involvement of NGOs in the process, and "encourages the State party to establish an institutional framework for future cooperation with national human rights institutions and civil society in the preparation of its reports to the Committee and the follow-up."
- 2.2 The Committee was concerned about a lack of a national strategy to implement the Covenant, developed in partnership with civil society, and that the Covenant has not been incorporated into the "domestic legal order of the State party" and that it "cannot be directly invoked before the courts". The Committee was further concerned that the UK believes most of the rights contained in the Covenant to not be justiciable.

#### **3.0 Gender issues**

- 3.1 The Committee was concerned about the fact that progress towards eradication of the gender pay gap appears to have stalled, particularly with regard to the private sector and part time work. [Articles 3, 6, 7]. A "comprehensive review of its policies to overcome gender inequalities" is recommended, including "intensifying efforts to enhance equality between men and women in the work place, particularly with regard to equal pay for

work of equal value in all sectors of employment.” The UK Government is enjoined to “ensure that the Equality Bill contains effective provisions aimed at closing the wage gap in the private sector.”

- 3.2 The Committee noted that parental and paternity leave are not available to the same extent as maternity leave, which impacts on equal rights between men and women. [Articles 3 and 9] The Committee recommends a more flexible scheme for paternity and parental leave; specifically mentioning the report *Working Better* by the Equality and Human Rights Commission.
- 3.3 The Committee was concerned about pensions and the failure of pension entitlement to provide an adequate standard of living for many groups, including women. It recommends:
- Ensuring that the State pension report of the Pension Act 2008, provide sufficient flexibility to enable the most disadvantaged and marginalized individuals and groups to benefit from both schemes and to increase their pension entitlements; and
  - Carrying out a targeted information campaign about the pension reforms to make people aware of their rights and responsibilities.
- 3.4 The Committee was concerned that domestic violence and violence against women is still a widespread problem. It was particularly concerned at the low prosecution rate of rape complaints and that corporal punishment of children in the home is not prohibited by law. Recommendations were made to:
- Raise awareness of the gravity of the offence of violence against women and the mechanisms available to victims of domestic violence;
  - Improve training for police and law enforcement officials and judges in relation to rape cases;
  - Increase the support services for victims at the local level;
  - Ensure that complaints of rape are diligently and impartially investigated and prosecuted without any inherent bias or scepticism towards alleged victims; and
  - Physical punishment of children in the home to be prohibited by law.
- 3.5 The Committee was concerned that the 1967 Abortion Act is not applicable in Northern Ireland and recommended that Northern Ireland’s abortion law was brought in line with the 1967 Abortion Act.