



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Concluding observations on the fifth periodic report of France*

1. The Committee considered the fifth periodic report of France¹ at its 41st and 43rd meetings,² held on 2 and 3 October 2023, and adopted the present concluding observations at its 60th meeting, held on 13 October 2023.

A. Introduction

2. The Committee welcomes the submission by the State party of the fifth periodic report, which was provided in response to the list of issues prior to reporting and in accordance with the simplified reporting procedure.³ The Committee expresses its appreciation for the constructive dialogue held with the State party's multisectoral delegation and the answers provided by the delegation.

B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken to increase protection of economic, social and cultural rights in the State party, including the Interministerial Gender Equality Plan 2023-2027 entitled "Toutes et tous égaux" (Everyone is equal); the National Plan to Combat Racism, Antisemitism and Origin-Related Discrimination 2023-2026; the National Health Strategy 2018-2022; and other measures mentioned in these concluding observations.

C. Principal subjects of concern and recommendations

Domestic application of the Covenant

4. The Committee takes note of the information provided by the State party on training courses run for judges and lawyers to raise their awareness of the provisions of the Covenant. However, the Committee is concerned about the lack of cases in which the provisions of the Covenant have been invoked before or applied by the State party's courts and tribunals, which limits the development of national jurisprudence relating to the rights contained in the Covenant.

5. **The Committee reiterates the recommendation made in its previous concluding observations⁴ and urges the State party to take steps to ensure that the nation's courts adopt uniform practices regarding the applicability of the rights provided for in the**

* Adopted by the Committee at its seventy-fourth session (25 September-13 October 2023).

¹ [E/C.12/FRA/5](#).

² See [E/C.12/2023/SR.41](#) and [E/C.12/2023/SR.43](#).

³ [E/C.12/FRA/QPR/5](#).

⁴ [E/C.12/FRA/CO/4](#), para. 6.



Covenant. It recommends that training be stepped up for lawyers and judges on the provisions of the Covenant and the Optional Protocol and on the justiciability of economic, social and cultural rights. The Committee also recommends that the State party launch information campaigns aimed at rights holders. The Committee draws the State party's attention to its general comment No. 9 (1998) on the domestic application of the Covenant.

Business and economic, social and cultural rights

6. The Committee welcomes the adoption of Act No. 2017-399 of 27 March 2017 on the Duty of Care of Parent and Subcontracting Companies (Duty of Care Act), as well as the National Action Plan for the implementation of the United Nations Guiding Principles on Business and Human Rights. However, the Committee is concerned about the fact that some companies are not covered by the Duty of Care Act, because of their size, and also about the effectiveness of how the Act is applied, in particular compliance by companies with the obligation to draw up and publish a care plan. The Committee also notes the State party's commitment to European projects, including those designed to include the financial sector in the new European Union directive on corporate sustainability due diligence.

7. The Committee recommends that the State party:

(a) **Extend the application of the Duty of Care Act to other types of companies in order to ensure that all companies exercise due diligence for the purposes of the prevention of violations of human rights, in particular economic, social and cultural rights;**

(b) **Take stock of how the Duty of Care Act is being applied, with a view to adopting measures to guarantee its effective application;**

(c) **Ensure that companies comply with their duty-of-care obligations, in particular the obligation to draw up and publish a care plan in accordance with the requirements of the Act;**

(d) **Conduct campaigns to raise awareness of the provisions of the Act among the administrative and judicial authorities responsible for its application;**

(e) **Pursue its commitment to working on a European Union directive on corporate sustainability due diligence, ensuring that all economic sectors, including the financial sector, are subject to the obligation of due diligence;**

(f) **Take into account the Committee's general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities.⁵**

Climate change

8. While the Committee takes note of the measures adopted by the State party to address climate change, in particular the National Low Carbon Strategy adopted in 2021, Act No. 2019-1147 of 8 November 2019 on Energy and Climate and Act No. 2021-1104 of 22 August 2021 to Combat Climate Change and Build Resilience to its Effects (Climate and Resilience Act), it is concerned by the findings of the High Council on Climate, which considers that these measures have not accelerated the reduction of greenhouse gas emissions and do not appear to be sufficient to enable the State party to meet its obligations under the Paris Agreement. The Committee is also concerned about the lack of adequate adaptation measures that take account of the effects of climate change on the enjoyment of economic, social and cultural rights by the most vulnerable populations, in particular those living in the overseas territories (art. 2 (1), and art. 11).

⁵ Committee on Economic, Social and Cultural Rights, general comment No. 24 (2017), paras. 2 and 16.

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

(a) **Step up its activities to meet the greenhouse gas emission reduction target, in compliance with the Paris Agreement and, in this connection, take the measures necessary to comply with Council of State Decision No. 427301 of 1 July 2021;**

(b) **Adopt adequate adaptation measures focusing on the most important effects of climate change, taking into account the uneven effects of climate change on people in more vulnerable and disadvantaged situations and those living in the overseas territories;**

(c) **Take into account the Committee's statement on climate change and the Covenant,⁶ which was adopted in 2018.**

Development assistance

10. The Committee welcomes the adoption of Framework Act No. 2021-1031 of 4 August 2021 on solidarity in development and on the reduction of global inequality, and the interministerial strategy entitled "Human Rights and Development", adopted on 10 December 2018. However, it remains concerned by the lack of effective mechanisms for assessing the impact of operations funded by development assistance institutions on the enjoyment of the rights contained in the Covenant. In this respect, the Committee notes with concern the funding provided by the financial institution Proparco (a subsidiary of the French Development Agency) for the activities of Bridge International Academies, whose activities have attracted strong criticism for their negative impact on the rights enshrined in the Covenant. Furthermore, the Committee regrets that, despite the increase in official development assistance to 0.56 per cent of gross national product, this figure remains below the internationally agreed target of 0.7 per cent (art. 2 (1)).

11. **The Committee reiterates the recommendation made in its previous concluding observations⁷ and urges the State party to:**

(a) **Strengthen the mechanisms and methodological tools designed to analyse the impact that operations funded by development assistance institutions have on the enjoyment of Covenant rights, in particular the right to just and favourable conditions of work, the right to education and the right to health;**

(b) **Establish an effective monitoring mechanism to assess the human rights impact of policies and projects in recipient countries on a regular basis and take corrective action where necessary;**

(c) **Carry out systematic and independent assessments of the impact on human rights of development cooperation projects, including those undertaken in the private sector by the French Development Agency's subsidiary, Proparco;**

(d) **Strengthen its efforts to raise development assistance to 0.7 per cent of gross national product, in line with the internationally agreed target.**

Access to coronavirus disease (COVID-19) vaccines and drugs

12. The Committee is concerned that the State party, as a member of the European Union, does not provide greater support for a full temporary waiver on the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights, which affects vaccines, diagnostics, treatments and other necessary medical products relating to COVID-19 (art. 2 (1), and art. 15).

13. **The Committee recommends that the State party ensure that trade agreements are consistent with its obligations under the Covenant vis-à-vis the enjoyment of economic, social and cultural rights in third countries. In this regard, it recommends that the State party, as a member of the European Union, give its firm support to the full temporary waiver on the implementation of the Agreement on Trade-Related**

⁶ E/C.12/2018/1.

⁷ E/C.12/FRA/CO/4, para. 8.

Aspects of Intellectual Property Rights as it pertains to vaccines, diagnostics, treatments and other necessary medical products relating to COVID-19. The Committee also recommends that the State party pay particular attention to paragraph 82 of the Committee's general comment No. 25 (2020) on science and economic, social and cultural rights and to the statements issued by the Committee in 2020 on the COVID-19 pandemic and economic, social and cultural rights and on universal and equitable access to vaccines for COVID-19.⁸

Regional disparities

14. The Committee notes with concern that there are persistent regional disparities in the enjoyment of economic, social and cultural rights, both within mainland France – particularly in rural areas and some suburbs – and in the overseas territories (art. 2 (2)).

15. The Committee recommends that the State party strengthen its efforts to close gaps in the enjoyment of economic, social and cultural rights between certain regions, in particular in rural areas of mainland France. It recommends that the differences and discrepancies in certain suburbs be taken into consideration. The Committee requests the State party to take all relevant measures to ensure the full enjoyment of economic, social and cultural rights by all persons under its jurisdiction.

Overseas territories

16. The Committee is concerned about the lack of adequate resources and public policies to ensure the full enjoyment of economic, social and cultural rights in the overseas territories (art. 2 (2)).

17. The Committee recommends that the State party provide adequate financial and human resources for the administrations in the overseas departments and regions and the overseas collectivities, so that all inhabitants of the State party enjoy economic, social and cultural rights on an equal footing.

Equal rights of men and women

18. The Committee takes note of the introduction of the professional equality index aimed at eliminating the gender wage gap. Nevertheless, it notes with concern that the structural causes of gender inequality persist. The Committee notes that women continue to be overrepresented in fixed-term contracts, to work more on a part-time basis than men and to be concentrated in certain professions traditionally occupied by women, which hinders the closing of the gender wage gap (arts. 3 and 6).

19. The Committee reiterates the recommendation made in its previous concluding observations⁹ and urges the State party to redouble its efforts to achieve substantive gender equality. It also recommends that the State party take adequate measures to increase women's participation in the labour market, to ensure that women have the opportunity to follow non-traditional career paths, in particular by combating gender stereotypes, and to promote equal sharing of family responsibilities between men and women. The Committee also refers 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.

Right to work

20. The Committee welcomes the steady decline in the unemployment rate in recent years. However, it is concerned by reports that certain groups, in particular the Roma, persons with disabilities, persons belonging to minority groups, women, young persons and migrants, continue to experience difficulties in gaining access to work (art. 6).

⁸ E/C.12/2020/1 and E/C.12/2020/2, respectively.

⁹ E/C.12/FRA/CO/4, para. 21.

21. Reiterating the recommendations already made in its previous concluding observations,¹⁰ the Committee recommends that the State party continue to strengthen its employment policy in order to tackle the root causes of unemployment and to implement an action plan with precise, time-bound targets for regularly measuring progress, taking specific account of the needs of groups disproportionately affected by unemployment, including young persons, persons with disabilities, women and persons belonging to ethnic minorities, including Roma, and persons with a migration background, in particular those of North African and sub-Saharan origin. The Committee encourages the State party to take into account its general comment No. 18 (2005) on the right to work.

Minimum wage

22. The Committee is concerned that, according to information received, the minimum wage remains insufficient to ensure a decent standard of living for workers and their families (art. 7).

23. **The Committee recommends that the State party strengthen its efforts to ensure that the minimum wage is sufficient to enable workers and their families to enjoy a decent standard of living, by indexing it to the cost of living.**

Right to just and favourable conditions of work

24. The Committee is concerned about job insecurity, particularly the fact that low-wage jobs, part-time employment and temporary contracts are widespread. It is particularly concerned about the insecure working conditions and risks of abuse and exploitation to which workers are exposed (arts. 2, 3, 6 and 7).

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

(a) **Take all necessary measures to limit the use of temporary and low-wage jobs, in particular by creating decent employment opportunities that guarantee job security and adequate protection of workers' rights;**

(b) **Ensure that the rights of persons in part-time or low-wage jobs to employment and social security are fully guaranteed in law and in practice;**

(c) **Strengthen the labour inspectorate by providing it with sufficient material, technical and human resources to monitor working conditions in all sectors effectively and impartially;**

(d) **Ensure that workers have access to effective mechanisms for reporting all forms of abuse and exploitation;**

(e) **Take into account the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work.**

Discrimination and harassment

26. The Committee welcomes the ratification by the State party of the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190). However, it is concerned about the increase in cases of discrimination and harassment in the workplace on the grounds of sexual orientation and gender identity (art. 7).

27. **The Committee recommends that the State party redouble its efforts to enforce legislation on discrimination and the prevention of harassment in the workplace, as well as the ILO Violence and Harassment Convention, 2019 (No. 190), and that it provide victims with an effective remedy.**

Trade union rights

28. The Committee is concerned by the numerous reports of trade union leaders and workers being subjected to violence, harassment, intimidation and discrimination for

¹⁰ Ibid. para. 23.

exercising their union rights. It notes with concern that, in the context of the pension reform, many peaceful demonstrations organized by trade unions were banned and others were suppressed by force (art. 8).

29. **The Committee reiterates the recommendation made in its previous concluding observations¹¹ and urges the State party to take all necessary measures to ensure that the trade union rights of workers are fully respected and that trade union members and leaders are able to carry out their activities in a climate free of intimidation, violence, harassment and risks to their personal safety. The Committee recommends that the State party investigate cases involving the excessive use of force by law enforcement officials against trade union members who took part in recent peaceful demonstrations organized in response to the pension reform process, and bring those responsible to justice.**

Social security

30. The Committee notes with concern that the recent reforms to the unemployment insurance system, which provide for a tightening of the rules on benefits, including a reduction in the length of time during which benefits are paid, were introduced against a backdrop of high inflation that has pushed a large section of the population into a vulnerable situation. The Committee is also concerned that the pension reform was not debated in the National Assembly. It notes with concern that this reform would have a negative impact on the most disadvantaged persons, particularly women, because of their career paths (art. 9).

31. **The Committee urges the State party to conduct, with the participation of social partners and civil society, a comprehensive assessment of the effects of the recent reforms to unemployment insurance and pensions on the most disadvantaged persons who have been affected by them, with a view to taking the necessary corrective measures. To this end, the Committee recommends that the State party:**

(a) **Ensure that, in the event of loss of employment, workers have access to unemployment benefits for an adequate period of time and can, at the end of the period in question, benefit from appropriate social security protection;**

(b) **Take the necessary measures to ensure that the pension reform does not have a disproportionate impact on workers with less secure working conditions, particularly women;**

(c) **Ensure that the gender pension gap is reduced by tackling the structural features of the labour market that lead to women working in lower-paid and part-time jobs;**

(d) **Take account of the fact that the pensionable age must be adapted to national parameters depending, in particular, on the nature of the job;**

(e) **Take into account the Committee's general comment No. 19 (2008) on the right to social security.**

Unaccompanied migrant children

32. The Committee is disturbed by the extremely insecure living conditions of unaccompanied migrant children. It is concerned that these children do not benefit from adequate protection, do not have effective access to health care and, in some cases, do not attend school, due to inadequate provision by departmental welfare services (art. 10).

33. **The Committee urges the State party to take action, as a matter of urgency, to provide effective protection for unaccompanied migrant children, paying the utmost attention to how they are received, to respect for their rights and to consideration of their particular circumstances. It recommends that the Government do everything possible to facilitate their access to the asylum procedure and family reunification. The Committee also recommends that the State party strengthen the capacity of the services responsible for assessing and monitoring unaccompanied children, in particular the**

¹¹ Ibid. para. 28.

Child Welfare Service, so as to ensure respect for their dignity and rights, including their right to health and education. In this connection, the Committee reminds the State party of the recommendation made by the Committee on the Elimination of Racial Discrimination.¹²

Trafficking in persons

34. The Committee welcomes the adoption of the second National Action Plan to Combat Trafficking in Persons (2019–2021). It regrets, however, that the process for collecting data, identifying victims, including victims of trafficking for the purpose of economic exploitation, and ensuring their effective protection, seems to lack a comprehensive and systematic approach (art. 10).

35. The Committee recommends that the State party take the steps necessary to adopt a comprehensive policy to combat trafficking in persons, ensuring effective protection for victims, in particular access to adequate legal and psychological support, and making sure that this policy is provided with the human, technical and financial resources required for its effective implementation. The Committee also recommends that the State party adopt a systemic approach to combating trafficking in persons, taking into account all of its forms, including trafficking for the purpose of labour exploitation.

Protection of older persons

36. The Committee is concerned about violations of the rights of older persons, in particular the dignity and physical integrity of older persons housed in nursing homes (EHPAD). It notes with concern that these establishments frequently lack financial resources, which has an impact on the living conditions of the people they accommodate and on the working conditions of the people they employ (art. 10).

37. The Committee recommends that the State party thoroughly investigate all cases involving violations of the rights of older persons and bring those responsible to justice. It also recommends that the necessary resources be allocated to improving the living conditions, in particular access to care, of older persons in nursing homes (EHPAD) and the working conditions of persons employed in these establishments. In addition, the Committee recommends that the State party expedite the establishment of an effective mechanism for monitoring and supervising such establishments throughout the State party, including in the overseas territories.

Poverty

38. The Committee notes with concern that, despite the measures adopted by the State party, the incidence of poverty among certain disadvantaged and marginalized groups continues to worsen their situation of social exclusion. It also notes with concern that the poverty rate has not fallen, and is even rising slightly, and that certain suburbs and rural areas, as well as the overseas territories such as Mayotte and French Guiana, are more affected by poverty. The Committee is concerned about the lack of targeted measures to combat poverty that take into account the specific characteristics of the most affected regions (art. 11).

39. The Committee recommends that the State party review and adapt its national strategy on preventing and combating poverty, ensuring that it focuses on the most affected individuals and groups and is implemented using a human rights-based approach. It also recommends that sufficient resources be allocated to its implementation. The Committee reminds the State party of the recommendation made in its previous concluding observations¹³ and recommends that it give priority to tackling poverty and extreme poverty in the overseas territories, particularly Mayotte, by ensuring that persons living in extreme poverty have access to adequate social

¹² CERD/C/FRA/CO/22-23, para. 22.

¹³ E/C.12/FRA/CO/4, para. 34.

benefits. The Committee draws the attention of the State party to its statement on poverty and the Covenant,¹⁴ which was adopted in 2001.

Right to food

40. The Committee takes note of the measures adopted to guarantee the right to food, in particular the National Nutritional Health Programme and the State party's International Strategy for Food Security, Nutrition and Sustainable Agriculture. The Committee is nevertheless concerned by the lack of accurate data on the extent of food insecurity in the State party and by the lack of a framework law and a comprehensive, multidimensional policy on the right to food that would help to combat all forms of malnutrition (art. 11).

41. **The Committee recommends that the State party adopt a framework law on the right to food. It also recommends that a comprehensive national strategy for the protection and promotion of the right to adequate food be drawn up, in consultation with the relevant stakeholders, with a view to effectively combating food insecurity, all forms of malnutrition, including obesity, and ill-health linked to an unhealthy diet. In particular, it recommends that the strategy include programmes to promote healthier diets that incorporate aspects relating to trade, spatial planning, education and fiscal policy, set clear, time-bound targets and establish appropriate mechanisms to assess progress. 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.**

Right to adequate housing

42. While the Committee takes note of the measures adopted by the State party to deliver the right to housing, it reiterates its concern at the persistent shortage of adequate housing. The Committee is particularly concerned by:

- (a) Insufficient affordable housing and social housing, and insufficient emergency accommodation capacity to meet the needs of the most disadvantaged and marginalized groups;
- (b) Poor housing conditions in some disadvantaged urban areas;
- (c) The high numbers of homeless persons and persons living in informal settlements in deplorable living conditions, particularly the Roma;
- (d) The inadequate number of halting sites for Travellers and the living conditions in these sites, which are often located in insalubrious areas outside towns where there is no access to basic services such as water and sanitation;
- (e) The failure to recognize the caravan as a dwelling, which hinders the access of Travellers to certain rights, including the right of access to education;
- (f) The deplorable living conditions of migrants and asylum-seekers in informal settlements, without access to water, sanitation, adequate food and health care;
- (g) The discrimination faced by persons with a migration background, in particular persons of North African and sub-Saharan origin, and the difficulties they encounter in obtaining access to housing;
- (h) Forced evictions from informal settlements, often carried out without offering alternative housing solutions or taking into account the specific needs of the people concerned, particularly children (art. 11).

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

- (a) **Undertake a review of its housing policies in order to effectively meet the housing needs of the population, with a particular focus on disadvantaged and marginalized individuals and groups;**

¹⁴ [E/C.12/2001/10](#).

(b) Take all necessary measures to increase the supply of social housing and affordable housing, as well as to combat homelessness effectively and guarantee homeless persons access to emergency accommodation;

(c) Adopt a policy of building and renovating social housing with rents that are affordable, particularly for the most disadvantaged and marginalized people;

(d) Take effective measures to ensure adequate housing for Roma and Travellers and to improve their living conditions in accordance with their particular needs;

(e) Consider the possibility of recognizing the caravan as a dwelling or taking the measures necessary to ensure that the way people live does not hinder access to their rights;

(f) Ensure that migrants and asylum-seekers have access to emergency accommodation in dignified conditions and benefit from adequate social benefits;

(g) Adopt effective measures to reduce as far as possible the use of forced evictions, considering alternative solutions in consultation with the persons concerned and ensuring that evictions are carried out in accordance with legislation compatible with the Covenant and with the general principles that any measures taken should be reasonable and proportionate to the legitimate purpose of the eviction and its consequences for the persons concerned, taking into account, in considering the proportionality of the measures, the existence of adequate alternative housing, the personal circumstances of the persons concerned and their cooperation with the authorities in finding suitable solutions;

(h) Ensure that evicted persons are given sufficient and reasonable notice of the decision to evict them, and that they have access to an effective judicial remedy;

(i) Take into consideration the recommendations in the report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, made following her visit to France in April 2019.¹⁵

Operation Wuambushu

44. The Committee expresses its concern at operation Wuambushu in Mayotte, which was conducted to demolish shanty towns and has resulted in the eviction of many families from their homes (art. 11).

45. The Committee recommends that the State party take the necessary measures to ensure that persons whose homes have been destroyed are not left homeless and that they are offered adequate accommodation. It also recommends that any measures to improve housing conditions incorporate a human rights-based approach, in particular respect for the rights of children, persons with disabilities and older persons.

Right to water

46. The Committee is concerned about the shortage of safe drinking water in certain regions, particularly in the overseas territories, especially Guadeloupe. It is also concerned about water pollution, including from the use of pesticides, particularly in French Guiana, Guadeloupe and Martinique, which has led to serious health problems among the population and a lack of access to safe drinking water (arts. 11 and 12).

47. The Committee urges the State party to:

(a) Redouble its efforts to guarantee access to safe drinking water for the entire population, in particular the most disadvantaged and marginalized groups and those living in the overseas territories and areas affected by water scarcity;

¹⁵ [A/HRC/43/43/Add.2](#).

- (b) **Ensure effective protection of water resources, in particular by combating the harmful effects of pollution caused by economic activities;**
- (c) **Impose sanctions and penalties on companies whose activities pollute water resources;**
- (d) **Set up an adequate and sustainable wastewater management and treatment system;**
- (e) **Expand compensation programmes for people affected by water pollution, in particular in French Guiana, Guadeloupe and Martinique;**
- (f) **Develop a long-term strategy to ensure that the inhabitants of French Guiana, Guadeloupe and Martinique have access to uncontaminated water and food.**

Right to physical and mental health

48. The Committee is concerned about territorial inequalities in access to health care, due to inadequate funding of the health system, the uneven distribution of health professionals across the country and cuts in numbers of hospital beds. The Committee notes with concern that rural areas and some disadvantaged suburbs are seriously affected by these “medical deserts” (art. 12).

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

- (a) **Allocate sufficient resources to the health sector, and continue its efforts to guarantee the accessibility, availability and quality of health care in all regions, in particular in rural areas and disadvantaged suburbs;**
- (b) **Ensure that hospitals have sufficient numbers of health professionals and other qualified medical staff, as well as sufficient infrastructure, medical equipment and medicines;**
- (c) **Take the necessary measures to improve the working conditions of health professionals and medical staff, in particular their salaries.**

Access to health care for migrants

50. The Committee is concerned about reports that persons receiving State medical care, particularly migrants in an irregular situation, face administrative obstacles in gaining access to health care. It is also concerned by discussions, in the context of a new law on immigration, on the replacement of State medical care for irregular migrants with “emergency” care (art. 12).

51. **The Committee requests the State party to take the necessary measures to ensure that persons receiving State medical care have effective access to health care and that migrants in an irregular situation have discrimination-free access to all necessary health care in accordance with articles 2 and 12 of the Covenant. The Committee refers the State party to its general comment No. 14 (2000) on the right to the highest attainable standard of health and its 2017 statement on the duties of States towards refugees and migrants under the Covenant.¹⁶**

Drug users

52. While the Committee recognizes the efforts made by the State party to reduce risks for persons who use drugs, it is concerned about the availability and effective accessibility of these services (art. 12).

53. **The Committee recommends that the State party ensure that risk reduction services for persons who use drugs or other substances are available and accessible throughout the territory of the State party and eliminate any obstacles that might limit access to them, particularly for drug users belonging to the most disadvantaged or marginalized groups.**

¹⁶ [E/C.12/2017/1](#).

Right to education

54. Despite the efforts made by the State party to guarantee access to education, the Committee is concerned about:

- (a) The persistent obstacles faced by Roma children, Traveller children, children with disabilities and children from disadvantaged backgrounds in gaining access to education, without discrimination;
- (b) Information on the high number of out-of-school children, as well as the dropout rate, particularly in the overseas territories and among children from disadvantaged backgrounds;
- (c) Serious cases of school bullying, some of which have led to suicide;
- (d) Persistent disparities between the success rates of children from less privileged socioeconomic backgrounds and those of children from privileged backgrounds, which hinders social mobility;
- (e) Information on the provisions introduced by Act No. 2021-1109 of 24 August 2021 to bolster respect for the principles of the Republic and which are reported to limit the possibility of receiving homeschooling;
- (f) The working conditions of teachers, who are not adequately remunerated (arts. 13 and 14).

55. **The Committee recommends that the State party take the measures necessary to:**

- (a) **Ensure that Roma children, Traveller children, children with disabilities and children from disadvantaged backgrounds have access to quality education that is culturally appropriate and adapted to their needs;**
- (b) **Ensure that all children, especially those living in the overseas territories, are enrolled in school, and continue to reduce the early school dropout rate, with particular attention being paid to children from less privileged groups;**
- (c) **Continue to combat school bullying by implementing a strict zero-tolerance policy and effective protection and support measures for pupils who are victims of bullying;**
- (d) **Raise educational attainment rates among children from disadvantaged backgrounds and those from low-income families with a view to promoting social mobility;**
- (e) **Ensure that the principles of necessity and proportionality and the specific needs and best interests of children are duly taken into account when decisions are taken on the authorization of homeschooling, with special reference to article 13 (3) of the Covenant;**
- (f) **Improve teachers' working conditions, especially their pay, and enhance the status of the teaching profession to make it more attractive.**

Higher education

56. The Committee is concerned about the difficulties in gaining access to higher education that are faced by students from disadvantaged socioeconomic backgrounds and those from regions where higher education opportunities are limited. It is concerned about the steady decline in the per-pupil budget allocated by the State, which runs contrary to the obligation to progressively achieve the full realization of the rights recognized in the Covenant (arts. 13 and 14).

57. **The Committee recommends that the State party deploy the necessary means to make higher education equally accessible to all, taking into account the needs of students from disadvantaged socioeconomic backgrounds and regions where higher education opportunities are limited. It also recommends that the budget allocation for higher education be reviewed, with a view to the progressive introduction of free higher education.**

Cultural rights

58. The Committee remains concerned by the State party's failure to recognize minority groups, which limits the enjoyment of the specific cultural rights of persons belonging to such groups, in particular the cultural and linguistic rights of ethnic minorities, regional groups and Indigenous Peoples. The Committee notes with concern the lack of measures to promote the knowledge and use of regional languages (art. 15).

59. **The Committee reiterates the recommendations made in its previous concluding observations¹⁷ and requests the State party to consider reviewing its position with regard to minorities and to officially recognize the need to protect the cultural and linguistic rights of all minority groups, including those of Indigenous Peoples in the overseas territories. The Committee also recommends that the State party recognize and promote the right of persons belonging to regional or minority linguistic groups, including Indigenous Peoples, to practise their own language as part of their right to participate in cultural life, not only in their private lives but also in public life, in regions where regional languages are traditionally spoken.**

Olympic Games and participation in cultural life

60. The Committee is concerned about the ban on French Muslim athletes wearing the hijab at the next Olympic Games, which are to be held in the State party in 2024. This ban constitutes a form of differential treatment between foreign Muslim athletes, who are not subject to the same ban, and French Muslim athletes, and could limit their right to take part in cultural life. The Committee also regrets that it did not receive sufficient information on the observance of due diligence in the organization of the Olympic Games in order to limit the risks to the enjoyment of economic, social and cultural rights (arts. 2 and 15).

61. **The Committee recalls its general comment No. 21 (2009) on the right of everyone to take part in cultural life and recommends that the State party:**

(a) **Ensure that all rules concerning the organization of the Olympic Games respect and are consistent with the right to take part in cultural life, including sport, as noted in the Committee's general comment No. 21 (2009);**

(b) **Ensure, to the best of its ability as the host country, that athletes can participate and compete in the Olympic Games in complete safety and without discrimination, regardless of their racial or ethnic origin, religion, sexual orientation or gender identity;**

(c) **Ensure compliance with human rights due diligence in the organization of the Olympic Games, including the rules and regulations of each sport, in order to identify and mitigate risks to economic, social and cultural rights.**

D. Other recommendations

62. The Committee recommends that the State party consider acceding to 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.

63. 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, including in the recovery from the COVID-19 pandemic. Achievement of the Sustainable Development Goals would be significantly facilitated were the State party to establish independent mechanisms to monitor the progress achieved and to treat beneficiaries of public programmes as rights holders who can claim entitlements. Moreover, the Committee recommends that the State party support the global commitment of the decade of action to deliver the Sustainable Development Goals.

¹⁷ E/C.12/FRA/CO/4, paras. 15 and 57.

Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind.¹⁸

64. The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the national, regional and departmental levels, as well as in the overseas departments and regions and the overseas collectivities, 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 emphasizes the crucial role that the Parliament plays in implementing the present concluding observations and encourages the State party to involve it in future reporting and follow-up procedures. The Committee also encourages the State party to involve the National Consultative Commission on Human Rights and non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultations at the national level prior to the submission of its next periodic report.

65. 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 (by 31 October 2025), information on the implementation of the recommendations contained in paragraphs 31 (c) (social security), 47 (f) (right to water) and 49 (b) (right to physical and mental health) above.

66. The Committee requests the State party to submit its sixth periodic report in accordance with article 16 of the Covenant by 31 October 2028, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words.

¹⁸ [E/C.12/2019/1](#).