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Committee on Economic, Social and Cultural Rights

Forty-ninth session

Summary record of the first part (public)* of the 40th meeting

Held at the Palais Wilson, Geneva, on Monday, 19 November 2012, at 3 p.m.

Chairperson: Ms. Pillay

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* No summary record was prepared for the second part (closed) of the meeting.

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The meeting was called to order at 3.05 p.m.

Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights: documents submitted by non-governmental organizations

Equatorial Guinea

1. **Ms. Makou Djouma** (Organization for Communication in Africa and Promotion of International Economic Cooperation (OCAPROCE International)) said that her organization, which was very concerned about the situation of women and girls who were raped and subjected to violence, and human trafficking and exploitation of children from West Africa in Equatorial Guinea, encouraged the Government to adopt a national policy to improve the status of women and to implement the plan against the trafficking and exploitation of children adopted in 2004. Equatorial Guinea should also increase women's participation in the political and economic life of the country and promote gender equality. Her organization was also concerned about the dual legal system, based on civil and customary law, which gave rise to persistent discrimination against women. It urged Equatorial Guinea to ratify the international instruments to which it was not yet a party, especially those relating to women, children and migrant workers. It also invited the Government of Equatorial Guinea to enforce legislation safeguarding the exercise of economic, social and cultural rights by non-nationals.
2. **Mr. Ribeiro Leão** asked whether there was an anti-poverty programme in Equatorial Guinea. He would like details on the two legal systems in place and on the aspects of customary law which impeded women's rights.
3. **Mr. Kedzia** said he would like further information on cooperation between the Government and civil society regarding economic, social and cultural rights.
4. **Ms. Makou Djouma** (Organization for Communication in Africa and Promotion of International Economic Cooperation (OCAPROCE International)) said that the rights of non-governmental organizations (NGOs) were not respected in Equatorial Guinea, as the absence of NGOs originating in the country made evident. She noted that the anti-poverty mechanism set up in the country was not implemented.

Bulgaria

5. **Ms. Bogomilova** and **Ms. Triffonova** (Bulgarian Gender Research Foundation and Foundation Compassion Alzheimer Bulgaria), in a joint presentation of their reports, said that the Bulgarian Government was sacrificing the economic, social and cultural rights of the population for the financial stability of the country and sustaining a situation of "stability in poverty". The Committee should recommend that the Government take measures to progressively incorporate the exercise of economic, social and cultural rights in its plans and programmes. The Government should also ratify the Optional Protocol to the Covenant and establish human rights education at all levels. In addition, religious education should be provided for Bulgarian pupils. It was also necessary to adopt legislation on gender equality as well as measures to tackle the gender pay gap. The Government should also combat poverty and youth unemployment.
6. Given the very high figures for maternal mortality, the Government should take preventive action, provide training, and draw up guidelines on the subject for medical professionals and hospitals, as well as for lawyers dealing with cases of maternal mortality. The two NGOs noted that Bulgaria allocated only 4 per cent of its budget to health care. Persons suffering from dementia or Alzheimer's were placed in dilapidated institutions which had no communication with each other and came under two separate ministries.

Carers were not recognized and the necessary medicaments for home-care patients were not covered by the health scheme. The NGOs called for the adoption of a national plan on Alzheimer's so that patients and persons attending to them were better supported.

7. **Ms. Barahona Riera** asked whether the employment rate of young people and women had risen further since the financial crisis. She would like to know whether women's pay was also less than men's in the public sector. Noting that there was no legislation on gender equality, she asked whether there were public programmes to promote such equality. She also enquired whether there were legal provisions regarding non-discrimination.

8. **Mr. Ribeiro Leão** asked whether the State party had implemented specific programmes to combat poverty among young people and women.

9. **Mr. Kerdoun**, noting the coexistence of different religions in Bulgaria — Islam, Judaism, Catholicism and Orthodox — asked whether one of those had the status of official religion, and requested further information on how the teaching of the different denominations was organized at a practical level in the State party. He also enquired how self-proclaimed atheists were viewed.

10. **Mr. Riedel** said that the State party had not fully replied to question No. 20 on the list of issues, where it had been requested to describe measures adopted to ensure support for mental health patients and to promote community care, as the reply had been limited to information on persons suffering from Alzheimer's. He therefore asked whether mental health patients were also sent home after being temporarily hospitalized, without being assigned a general practitioner or issued with a medical prescription, thus forcing the family to consult an independent doctor and pay for the consultation.

11. **Ms. Bogomilova** (Foundation Compassion Alzheimer Bulgaria) said that the crisis had had deleterious effects on the unemployment rate as between 2007 and 2010 it had risen from 22.9 to 23.9 per cent for women and from 19.8 to 20.7 per cent for men. Furthermore, the difficulties facing women and young people in entering the labour market seemed to have been exacerbated still further during that period; and inadequate salaries, together with the rising price of property, had had serious repercussions on people's standard of living. The crisis had therefore hit Bulgaria hard.

12. **Ms. Triffonova** (Bulgarian Gender Research Foundation) said that women and young people had access to various training courses which, owing to the lack of opportunities, did not result in their finding employment. The programmes implemented by the Government to promote employment were too broad and were not adequately targeted at women and young persons who were long-term unemployed. Some programmes did aim to establish gender equality in accessing employment, but that principle was not enshrined in law. There was a law in Bulgaria prohibiting discrimination against women as well as a committee with the authority to receive complaints regarding gender discrimination but, to her knowledge, very few complaints of that kind had been lodged.

13. While Bulgaria was predominantly an Orthodox country, the other religions — Islam, Catholicism, Judaism and Protestantism — were registered officially, as provided for by law, and anyone could identify himself as a member of any of those denominations. By common agreement, representatives of the different communities had decided that religious education would be provided in schools. Lastly, as the health system did not cover the medication necessary for Alzheimer's and other forms of dementia, the monthly cost of which was equivalent to the average salary in Bulgaria, it was not unusual that patients were unable to care for themselves.

14. **Ms. Barahona Riera** asked the reason for the high maternal mortality rate in the State party and especially if it could be attributed to illegal abortions. In that respect, she

asked what legislation on abortion was currently in place. Further information would be appreciated on violence towards women in the State party and on whether there was a law prohibiting domestic violence. She also asked whether the Criminal Code contained provisions specifically prohibiting such violence or whether, in such a case, blanket provisions applied.

15. **Ms. Trifonova** (Bulgarian Gender Research Foundation) said that there was legislation in Bulgaria prohibiting domestic violence, but that such acts were not classed as criminal offences. However, under current legislation, the State was bound to provide shelters for the victims of domestic violence, which it had been doing indirectly for two years by allocating funds to NGOs working in that area.

16. The absence of official data on the issue made it difficult to identify the reasons for the high maternal mortality rate, as some fatalities were due to poor-quality care in certain private health structures. Furthermore, citizens' groups had started to come together through the Internet to protest against the absence of public programmes to improve the situation, since several cases of maternal deaths had received wide media coverage.

17. To ensure that religious education was provided in schools, Bulgaria could follow the example of the model chosen in other European countries, whereby classes were available in the school itself as long as a sufficient number of students were interested or, failing that, different schools could make their own arrangements to ensure the provision of such education. In addition, the representatives of the different denominations in Bulgaria had stated that they were prepared to cover the cost of textbooks and the salaries of the teachers providing the religious education classes.

The first part (public) of the meeting rose at 3.55 p.m.