

African States Parties' ICESCR Self-Reporting Practice:

State and Report Information	(i) Selective Reporting?	(ii) Corresponding Shadow Reports?	(iv) Discussion of Deterioration?
a)* Morocco b)° Fourth Periodic Report c)² 27 th March 2014	-----		
a) Kenya b) Combined second to fifth periodic report (as received) c) 25 th February 2014			
a) Uganda b) Initial periodic report c) 4 th December 2013			
a) Gambia b) Initial reports of States parties due in 1990 c) 6 th November 2013	-----		
a) Sudan b) Second periodic report c) 18 th September 2013			
a) Djibouti b) Combined initial and second periodic report c) 1 st November 2012			
a) Gabon b) Initial Report c) 29 th June 2012	i) Right to Work: - discussion addresses existing legal framework and constitutional rights regarding the right to work, as well as noting existing initiatives; - indicators for employment include public sector		i) Right to Work: - there is some recognition of outstanding issues, particularly in relation to youth unemployment. However, there is no mention of decline (presumably because this constitutes an initial

	<p>provisions of jobs, youth unemployment; and private sector jobs.</p> <ul style="list-style-type: none"> - Youth unemployment constitutes a major theme of the discussion. <p>ii) Right to Social Security: - indicators of status are the state's ranking in the UNDP Human Development Report 2010, and the provision of information about the way in which the social security system operates and the benefits conferred. Beyond this, the discussion constitutes a description of initiatives.</p> <p>iii) Right to Education: - analysis begins with an outline of the existing legal provisions, initiatives, and governmental objectives; - indicators include school enrolment rates (relative to sub-Saharan Africa), teaching staff, teacher training, equipment, workshops and playgrounds, courses, classroom numbers and conditions, security, and number of pupils, as well as education financing.</p> <p>iv) Right to Health: - again, discussion of initiatives and existing</p>		<p>report!).</p> <p>ii) Right to Social Security: - no criticism.</p> <p>iii) Right to Education: - reference is made to a few damning incidents: for instance, para 208: with regard to security in the vicinity of schools and universities, aware that there had been a number of violent incidents in certain educational institutions...'</p>
--	---	--	--

	measures,		
<p>a) Egypt b) Combined second to fourth periodic report c) 22nd December 2011</p>	<p>i) Right to Work: - the discussion notes the implementation of a new Labour Code; - otherwise, we are told to 'refer... to Egypt's previous report and the Annex containing its replies to the Committee's questions' (para 135).</p> <p>ii) Right to Social Security: - again reference is made to Egypt's previous report; - however, the discussion goes on to provide significant statistical and financial indicators on the practical application of the legislation, including number of social insurance recipients and benefits paid, number of insured persons and pensions, number of social security support recipients and benefits paid, and a discussion of judicial applications.</p> <p>iii) Right to Education: - provision of initiatives to improve the right to education; - numerous indicators are used to illustrate the existing position, including: - no. of schools, classrooms students</p>	<p>Cannot locate any (although this is not to say that there are none).</p>	<p>i) Right to Work: - virtually no comment, with reference to previous report.</p> <p>ii) Right to Social Security: - no obvious allusion to decline in performance.</p> <p>iii) Right to Education: - para 280 provides criticism of the existing position: 'observation has revealed that the education system is unsatisfactory in some respects. Theory rather than practice tends to predominate. Competence levels among personnel in charge of monitoring and assessment are low. There is no integrated assessment system based on clearly defined criteria for the evaluation of reaching outcomes. Learner assessment methods and tools are inadequate, the institutional working environment is unsatisfactory...'</p> <p>iv) Right to Health: - very little criticism, if any.</p>

	<p>in technical education sectors, change over time in schools and pupil numbers, spending on university education, and number of faculty members and assistants at State universities.</p> <p>iv) Right to Health: - discussion of legal position, and institutional structure; - statistical indicators are used to show how health care delivery services have evolved over time. These include: health care spending, number of hospital beds, cost per patient, and patients sent abroad. - new initiatives are also discussed. - there is also discussion of environmental aspects, industrial aspects, disease, immunisation, and health insurance, amongst other things.</p>		
<p>a) Rwanda b) Deuxieme, troisieme et quatrieme rapports periodiques presents, en un meme document... (combined second, third and fourth periodic report – cannot access English pdf) c) 4th October 2011</p>	<p>-----</p>		

<p>a) Togo b) Initial Report c) 4th October 2011</p>	<p>i) Right to Work: - discussion begins with a description of the legal position, and latterly incorporates discussion of the measures undertaken with respect to employment. It is noteworthy, however, that ‘Togo has no statistics enabling it to assess the precise level of employment and its development’ (para 331 – see also paragraph 358) - there is also some discussion of vocational training, and some recognition of a ‘high rate of unemployment’ among the young owing to under-funding of education and the vocational training system (346). - para 350 notes that girls are underrepresented in technical and vocational education, as well as in the industrial sector. - a separate theme addressed is violations of the principle of equality.</p> <p>ii) Right to Social Security: - description of the contemporary social security regimes implemented in the state; - however, it is noted (para 421 onwards) that ‘the</p>	<p>Cannot locate any (although this is not to say that there are none).</p>	<p>i) Right to Work: - there is some recognition of the failings of the state’s current compliance with Article 6 (namely, in relation to gender equality, and a high rate of unemployment among the young). However, there is an insufficiency of analytical/critical content, owing apparently to the lack of reliable statistics (para 358).</p> <p>ii) Right to Social Security: - para 399 notes that ‘the aspect of health and safety at work, which constitutes a basic pillar of social welfare, was neglected for a long time. Work-related diseases, deaths and accidents are legion. This is because the legislation is out of date or incomplete, the institutions atrophied or non-operational, risk mapping is non-existent, qualified staff are not available...’ (see also the content of column i).</p> <p>iii) Right to Education: - candid approach to statistical data. For instance, para 639: ‘Illiteracy affects</p>
---	--	---	---

	<p>provisions described above are by means applied’; - no statistical data is provided (neither are qualitative data referencing particular indicators).</p> <p>iii) Right to Education: - description of government initiatives; - provision of literacy statistics, and sources of funding; - discussion of the teaching profession and the teacher-training programme, with measures taken or envisaged to improve the standard of teaching staff; - gender equality (and corresponding statistics).</p> <p>iv) Right to Health: - description of national health policy and prospective initiatives for improvement; - statistics and situation in relation to vaccination coverage, immunisation, child care, and pre-natal care; - discussion of financial issues pertaining to the realisation of art 12. - statistics by way of indicators, the latter including infant mortality rate, child mortality rate,</p>		<p>1,338,563, with the illiteracy rate thus amounting 43.1 per cent. That general situation is further characterised by differences linked to gender, place of residence, age and socio-economic status’.</p> <p>- para 647 also provides a list of ‘difficulties and setbacks’... including, by way of illustration, ‘the failure to cater for the 9 to 14 age group’.</p> <p>iv) Right to Health: - again, very open in its discussion of the ineptitude of state measures in complying with Art 12. For example: para 585: ‘the health care system is suffering from acknowledged public underfunding, with the result that the financial burden is shifted on to households’.</p>
--	--	--	--

	<p>maternal mortality rate, incidence of HIV, rate of sight loss for tb sufferers, and health-care budget as a proportion of the general budget.</p> <p>- the discussion is subdivided further into services, human resources, long-term policy, pharmaceutical policy and specific discussion of a forthcoming initiative.</p>		
<p>a) Mauritania b) Initial reports submitted by States parties under articles 16 and 17 of the Covenant c) 20th May 2011</p>	<p>i) Right to Work: - in comparison to much of the report, the content on Article 6 is minimal. It provides demographical data and proposals for improvement, but does not furnish any more analytical content about the current status of unemployment and underemployment.</p> <p>ii) Right to Social Security: - The Report's exposition of social security is more expansive. Nonetheless, it provides nothing more than information on the social security mechanisms in place, and the way in which it they are funded.</p> <p>iii) Right to Education: - the discussion addresses the legal and regulatory framework governing the</p>	<p>Cannot locate any (although this is not to say that there are none).</p>	<p>i) Right to Work: - no analysis of current conditions.</p> <p>ii) Right to social security: - no analysis of current position.</p> <p>iii) Right to education: -the report <i>does</i> note declines in the indicators used to monitor performance (for instance, para. 405 provides that, 'after declining slightly between 2003/04 and 2004/05 (from 96 per cent to 95.1 per cent), the GER at the national level increased for the second consecutive year...' and (para 408) 'following a slight decline between 2004/05 and 2005/06, the participation rate of girls at the national level again</p>

	<p>right to education. It also acknowledges the difficulties with realising the right; notably, difficulties arising from the 'lack of enabling legislation on compulsory education and from shortfalls in educational services and continuity' (para 366), and a below-average completion cycle;</p> <ul style="list-style-type: none"> - the report also provides statistical data on primary, secondary, and higher education, as well as technical and vocational training. - the report uses the following indicators to measure performance: <ul style="list-style-type: none"> a) the gross enrolment rate; b) the gross admission rate; c) the percentage of girls in primary school; d) the retention rate; e) the percentage of all-age schools (each of which is discussed in detail). <p>iv) The Right to Health:</p> <ul style="list-style-type: none"> - the report provides information on the state's health objectives and strategic approaches, as well as 'health statistics', using maternal mortality rate, infant mortality rate, infant and child mortality rate, 5- 		<p>rose...'. iv) The Right to Health: - the report is especially candid about the need for improvement. For instance, para 248: 'the fact that the national health situation has improved masks disparities among socio-economic groups; health indicators remain particularly worrisome in rural areas and among the poorest groups, the low-income groups and those with low levels of education... there are also regional disparities', and, para 252: 'maternal mortality is estimated at 747 maternal deaths per 100,000 live births. This alarming rate is due primarily to the high percentage of high-risk pregnancies, poor testing and monitoring of such pregnancies, and limited access to good emergency obstetrical care'.</p>
--	--	--	--

	<p>km health coverage, HIV/AIDS prevalence, percentage of immunized children aged 12-13 months, and percentage of women who have given birth in the past year with pre-natal care, as indicators. There is also in-depth discussion of financing mechanisms and the sectoral environment.</p>		
<p>a) Ethiopia b) Combined initial, 2nd and 3rd periodic reports c) 27th March 2011</p>	<p>i) Right to Work: - the discussion is divided into a) an introductory section, outlining the legal framework; b) policy directions to ensure full employment; c) technical and vocational training programs; d) Employment profile in Ethiopia; e) Institutional mechanisms. - The discussion is quite thorough in its discussion of initiatives introduced to reduce unemployment. - statistical data is provided to demonstrate the unemployment rate. ii) Right to social security: - Again, the analysis begins with a (detailed) description of the legal situation regarding the promotion of the right to social security and social insurance, and the benefits to which certain individuals are entitled. The</p>	<p>Cannot locate any (although this is not to say that there are none).</p>	<p>i) Right to Work: - there is some recognition of deterioration in unemployment, and inequality between prospective male and female employments. Thus, with regard to the former (para 64): ‘in the 1994 Population and Housing Census, the urban unemployment rate was 22%; it increased to 26.4% by 1999’. As for the latter (para 61): ‘unemployment rates for men and women are 13.7% and 27.2% respectively, indicating that unemployment is significantly greater for women than men’. Notably, though, the discussion under the heading ‘employment trends’ is exclusively positive, with no recognition of decline or</p>

	<p>analysis is largely descriptive of the entitlements available; there is also some discussion of reform initiatives, but there is no statistical data to furnish a comprehensive account of the current situation in relation to the state's performance.</p> <p>iii) The Right to Education: - there is detailed discussion of initiatives implemented to improve education, and the efforts to which the government has already gone to secure the right to education. - there is also implicit recognition of existing deficiencies in the education system (see column iii). - statistical data is provided to demonstrate gross and net enrolment rates.</p> <p>iv) The Right to Health: - the account describes measures taken to ameliorate access to health care; - statistical data is provided to supplement the report's discussion (i.e. recognition) of deficiencies (para 275: 'malnutrition remains the underlying cause of death in about 54% of the cases'), as</p>		<p>stagnation. Rather, it seems to focus on selective initiatives generating positive employment outcomes.</p> <p>ii) The Right to Social Security: - the critical discussion with regard to the state's performance in securing this right is located in para 158: 'the social security coverage is limited. The social security provided for citizens in the formal and non-formal sectors of the economy is not adequate. Coverage by public pension is limited to public servants...' There is no qualitative or quantitative data to illustrate the extent of the insufficiency.</p> <p>iii) The Right to Education: - there is some recognition of previous deficiencies: para 336: 'previously, the country's education system has faced numerous challenges in terms of access, quality and content.' - On the subject of primary education, para 345 notes that 'the gender gap by</p>
--	---	--	--

	<p>well as the positive implications of governmental initiatives thus far (para 278: 'accordingly, 76% coverage has been achieved, yet the subsequent year 2007/08 has showed a slight decline due to different problems'; - the account appears to be largely thorough.</p> <p>* there are a great deal more statistics provided in an accessible format in the Annex to the report.</p>		<p>gross enrolment rate has been decreasing with the exception of the 2006/07 academic year'. (Gross enrolment rate is illustrated with statistical data).</p> <p>- para 369 highlights prevalent deficiencies in the state's endeavours to secure the right to education. (e.g. 'the levels of net enrolment and disparities between male and female enrolment are still visible'. It is significant, though, that there is no candid recognition of any diminution in the achievement of the right.</p> <p>iv) The Right to Health: - there is recognition of continuing inadequacies: (para 271): 'Though not adequate, the different policies and strategies adopted to modify the situation have brought about immense change...' and (para 278) '...the subsequent year 2007/08 has showed a slight decline due to different problems'. (interesting that there is no specific statistic demonstrating the extent of the decline, and</p>
--	---	--	--

			immediately after this admission follows the assertion that the decline has been stabilised).
<p>a) Tanzania b) Combined initial, 2nd and 3rd periodic reports c) 27th March 2011</p>	<p>i) The Right to Work: - very cursory analysis, primarily focussing on initiatives to increase employment; - there is a brief discussion of unemployment, para 53 noting that ‘1.0 million males and 1.3 million females were unemployed, this being equivalent to 11.0 per cent compared to 12.9 per cent in 2000/01. In urban centres unemployment was 16.3 per cent in 2005/06 compared to 2000/01.’</p> <p>ii) The Right to Social Security: - the discussion provides a largely descriptive account of the mechanisms instituted to improve social security; - there are some data illustrating moderate amelioration in the state’s safeguarding of the right to social security (for instance, para 73).</p> <p>iii) The Right to Education: - The Report’s analysis of education is more extensive than its account of</p>	<p>Yes (although not necessarily in response to this particular report) (e.g.):</p> <p>- HelpAge International Tanzania, ‘NGO Thematic Shadow Report on Older Women’s Rights in Tanzania’ (April 2008) http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/HAITanzania41.pdf;</p> <p>- Global Rights <i>et al.</i>, ‘The Violation of the Rights of Lesbian, Gay, Bisexual, Transgender Persons in the United Republic of Tanzania: A Shadow Report’ (July 2009): http://www.globalrights.org/sites/default/files/docs/LGBT_Shadow_Report_TANZANIA.pdf (although this seems more appropriate to the ICCPR)</p> <p>- Coalition of Indigenous Pastoralist and Hunter Gatherer Organisations, ‘Shadow Report: Concerning the Situation of Economic Social and Cultural Rights of Indigenous Pastoralists and Hunter Gatherers of the United Republic of Tanzania’ (2011).</p>	<p>i) Right to Work: - although there is some recognition of the difficulties faced by Tanzania in relation to unemployment (see column i), there is no mention of declines in the state’s performance.</p> <p>ii) Right to Social Security: - no mention of any challenge; let alone the prospect of deterioration.</p> <p>iii) Right to Education: - there is some recognition of outstanding deficiencies, especially in the Primary Education Sector (para 140). There does not, however, appear to be any discussion of a decline in performance.</p> <p>iv) The Right to Health: - para 115: this recognises an explicit decline in life expectancy: ‘according to the country health system fact sheet of 2006, the life expectancy at birth for both males and females in 2004 stood at 47 and 49</p>

	<p>Tanzania's enforcement of other rights. It provides a detailed account of the initiatives introduced to improve access to education, as well as statistics on access and quality (for example, para 139: 'the quality of primary education performed impressively with the pass rate improving from 28.6 per cent in 2001 to 61.8 per cent in 2005 and the Book-Pupil ratio from 1:20 to 1:3 between 2001 and 2006, and para 152, which provides data on government expenditure on education).</p> <ul style="list-style-type: none"> - there is also some appreciation of the challenges besetting the primary education sector, including inadequate trained and qualified teachers. <p>iv) The Right to Health:</p> <ul style="list-style-type: none"> - the report's discussion of Article 12 is also relatively extensive. It provides statistics on expenditure (indicative of increasing efforts to realise the right) and existing and upcoming initiatives. - it is intriguing to find, however, that there are very few details giving in connection with certain 		<p>respectively, this is a decline from the life expectancy at birth that was in 1990 i.e. 52 years. The recent decline in life expectancy is attributed to the impact of HIV and AIDS and other communicable diseases.'</p> <p>Also, para 119: 'HIV/AIDS was declared a national disaster in 2001 at the launch of the national HIV/AIDS Policy by the Government'.</p>
--	---	--	--

	<p>elements of realising the right to health, such as education: para 134: ‘there is a section on public health education within the Ministry of health and Social Welfare that provides education on health related matters. Education on health issues is also provided through news papers and TVs.’</p> <p>* It is important to observe that, whilst these particular rights are discussed in (relative) detail, other rights are largely neglected (see, for instance, the discussion of Arts 4 and 5, and Art 8).</p>		
<p>a) Cameroon b) Combined second and third periodic reports submitted by States parties c) 19th July 2010</p>	<p>i) Right to Work: - statistics provided on unemployment rate; - the discussion (from para 315 onwards) notes a number of initiatives introduced to ameliorate employment access (see, for instance, para 324), and provides statistical evidence of the positive effects thereof. Nonetheless, it is noteworthy that the statistics are not comparative, such that, whilst the figures appear promising, they allow for no inference to be drawn about whether or not</p>	<p>Yes (not mentioned in report, and not necessarily pertaining to this specific report). e.g.:</p> <ul style="list-style-type: none"> - Alternatives Cameroun <i>et al</i>, ‘The Satus of Lesbian, Gay, Bisexual and Transgender Rights in Cameroon: A Shadow Report’ (June 2010) <http://www2.ohchr.org/English/bodies/hrc/docs/ngos/LGBTI_Cameroon_HRC99.pdf>; - The Centre for Reproductive Law and Policy, ‘Women’s Reproductive Rights in Cameroon: A Shadow Report’ (Nov 1999). 	<p>i) Right to Work: - para 318: acknowledgment of a MINEFOP (government organisation established in 2004) report suggesting that the economic recession caused an increase in the unemployment rate, a decline in the economic activity of the informal sector, and misconduct on the part of employers, entailing a reluctance to observe health and safety requirements, grant leave to employees, encourage</p>

	<p>unemployment has substantially improved (see, for instance, para 325 on 2006 recruitment figures, which are ostensibly illustrative of a strongly proactive government policy).</p> <p>ii) Right to Social Security: - discussion of reforms and initiatives; - but NO provision of statistics demonstrative of the present situation on Cameroon's performance in relation to this right; rather the only indication that social security is compromised to some extent is a subtle reference to the need to <i>restore</i> macroeconomic equilibrium in para 376.</p> <p>iii) Right to Education: - extensive statistical data is provided to buttress the state's points about the inadequacy of the system; - there is, of course, fairly extensive discussion about the governmental initiatives undertaken to improve the situation.</p> <p>iv) Right to Health: - discussion of the right to health is extensive. Again,</p>		<p>the creation of unions and promote the right to strike.</p> <p>- para 320: provision of statistics on unemployment (nearly 17 per cent – 32 per cent in urban and 9 per cent in rural areas), with a recognition of the sociological consequences thereof (para 321);</p> <p>- implicit recognition of insufficiency of employment: 'the various problems arising from the prevailing weakness in the supply of paid jobs and from unemployment...' (para 324) and '...prompted by a socio-economic context characterised by high unemployment and a worrying level of underemployment, in which the lack of a coherent and well-articulated document on national policy...appeared to hamper the decisive deployment of resources...' (para 328).</p> <p>- overall, in relation to this right, whilst there is no explicit recognition of <i>declining</i> performance owing to any factor other than the recession, and an absence of in-depth</p>
--	---	--	--

	<p>there is extensive recognition of the reform initiatives implemented to improve the right to health.</p> <ul style="list-style-type: none"> - there is, however, recognition of the weaker aspects: para 493, for instance: ‘the epidemiological profile of Cameroon...is dominated by infectious and parasitical diseases. The increasing trend in the prevalence of certain conditions, such as..., also gives grounds for concern.’ This is reinforced with some statistical evidence: para 494: ‘moreover, the epidemiological situation is aggravated by the HIV/AIDS pandemic, characterised by a national infection rate currently of 5.5 per cent’. para 495: ‘the health situation for mothers and infants continues to give cause for concern’ (Annex 5 provides supplementary information on this). - More statistical evidence is provided to buttress the state’s assertion that improvements are being made. For example: para 498: the DPT 3 vaccination coverage rose from 43 per cent in 2001 to 72 per cent in December 2004. 		<p>discussion of the inadequate employment rate, the report does provide persistent recognition of the need for improvement. (note that the same is largely true for the discussion of Art 3 – existing deficiencies are acknowledged, but only as a ‘stepping-stone’ to introducing initiatives implemented to improve the situation (thus, para 312: ‘observation indicates that the principle of equality is not fully observed in practice’).</p> <p>ii) Right to social security: - the preceding comment is also applicable to the discussion of Art 9. Thus, para 376: ‘in seeking ways and means to <i>restore</i> the major elements of macroeconomic equilibrium [presupposing an imbalance]...Cameroon has decided...to upgrade...’</p> <p>iii) Right to Education: - some recognition of regional inequalities: para 552: ‘however, a number of regional disparities may be observed, particularly in the extreme north and the east of the country’ and</p>
--	--	--	--

	<p>- the right is further segregated into ‘safeguarding the health of children’, ‘protection of maternal health’, ‘monitoring of certain health programmes’, and ‘improvement of the population’s access to essential medicines’, under each of which is further elaboration into the initiatives taken and the current predicaments (though, on the latter of which, there is a relative lack of discussion).</p> <p>* The foregoing would suggest that the report is fairly uniform in its discussion of rights; it is noteworthy, however, that other rights are given hardly any attention (notably, article 4 and 5). The article 5 commentary is simply this: para 314: ‘respect for the integrity of economic, social and cultural rights is a pre-requisite for the legality and legitimacy of any restrictions that the government may impose’. Thus, whilst there is perhaps little selectivity with regard to the discussion content for rights addressed in detail, there <i>is</i> selectivity insofar as</p>		<p>(553) ‘in 2005, the shortage of sitting places in secondary education was 1.6 million, while in higher education there were first-year places for less than one third of the number of new high school graduates’.</p> <p>- para 554: (recognition of decline in the <i>rate of improvement</i>: ‘the number of pupils aged 6-15 increased by 15 per cent between 2000 and 2005...and is expected to increase by <i>merely</i> 7.6 per cent between 2010 and 2015.’</p> <p>- 5558: ‘unmet quantitative and qualitative needs with regard to teachers are a constant’.</p> <p>- overall, in relation to this right, there is persistent recognition of the need for considerable improvement, and a candid expression of the current failings. There is, though, hardly any expression of actual decline.</p> <p>iv) Right to Health: - see column (i), which adequately summarises the position. In short, the answer is that there is some appreciation of</p>
--	--	--	--

	some rights are hardly discussed.		prevailing inequities; though there is not any explicit recognition of <i>decline</i> .
--	-----------------------------------	--	---

* State;

° Report description (as recorded on the OHCHR treaty database, appropriately abbreviated).

? Publication date.