

I - THE COMMITTEE OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In the period October 2016- March 2017 the Committee adopted the concluding observations and recommendations in respect of Costa Rica, Cyprus, Dominican Republic, Lebanon, Philippines, Poland, Tunisia.¹ The Committee again pointed the need to promote the provisions of the ICESCR on the national level and to encourage their direct application in courts.

The problems of implementation were revealed in the following spheres:

- 1) informal labour: Poland, Costa-Rica and the Philippines were recommended to take action in order to regularize informal labour and systematically include the informal sector of the economy in labour inspections.
- 2) discrimination in the labour market: Cyprus, Dominican republic, Lebanon and the Philippines were recommended to adopt a comprehensive anti-discrimination legal framework. The Committee noted that Lebanon has to implement the employment quota and develop employment opportunities for persons with disabilities.
- 3) minimum wage: it was found that the minimum wage in Cyprus covers only 13 per cent of the workforce and that the sum of it is insufficient. Dominican Republic and Lebanon were recommended to adopt the necessary measures to ensure that all workers receive a minimum wage that enables them to have decent living conditions
- 4) social security system: almost all the countries were recommended to ensure that social security benefits were sufficient to provide a decent standard of living. Poland was criticized for the lack of progress towards creating a unified pension system and for the establishment of the income criterion for granting social assistance at a lower level than the minimum subsistence level. Lebanon was urged to transfer the responsibility for the payment of maternity benefits from employers to the social security system. The Philipines - to establish unemployment benefits.
- 5) trade-union activities: The Committee was concerned about reports regarding restrictions on the right to collective bargaining in the public sector in Costa Rica and pointed the need to ensure effective mechanisms for the protection of union rights. It was noted that the right to strike in the Dominican Republic is limited by excessive legal requirements and urged it to bring relevant legislation into line with the Covenant. Lebanon was criticized for not allowing civil servants and foreigners to form trade unions.

Several most interesting points of the concluding observations will be discussed further in more detail. Considering the report of Poland the Committee noted the high rate of civil law contracts, which may negatively affect the right to just and favourable conditions of work

¹ All the reports are available: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/SessionsList.aspx?Treaty=CESCR (accessed 30.03.2017)