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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Pre-sessional working group  
17-21 May 2004

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with consideration of  
the initial report of MONACO concerning the rights covered by  
articles 1 to 15 of the International Covenant on Economic,  
Social and Cultural Rights (E/1990/5/Add.64)**

## **I. GENERAL INFORMATION**

### **A. General legal framework within which human rights are protected**

1. Please provide information as to when the International Covenant on Economic, Social and Cultural Rights shall be made directly applicable in Monaco at the same level as the International Covenant on Civil and Political Rights.
2. With reference to paragraphs 52 and 54 of the State party core document (HRI/CORE/1/Add.118), please indicate how the judiciary can maintain its independence in view of the fact that judicial officers and Supreme Court judges are appointed by the Prince.
3. The interpretative declarations made by the Government under a number of articles of the Covenant have the effect of restricting the application of the Covenant. Please indicate whether the Principality intends to withdraw its restrictive interpretations.

### **B. Information and publicity on the rights recognized in the International Covenant on Economic, Social and Cultural Rights and other international instruments**

4. Please provide information on the measures taken in order to make the provisions of the Covenant known to the population and primarily to institutions and persons directly responsible for the implementation of such provisions in practice.

## **II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

### **Article 2.2: Non-discrimination**

5. Please provide information on the enjoyment of economic, social and cultural rights by the foreigners residing in the Principality.

### **Article 3: Equality between men and women**

6. With reference to paragraph 12 of the report, please clarify which restrictions would stand in the way of achieving equality of men and women in the enjoyment of economic, social and cultural rights.

## **III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)**

### **Article 6: The right to work**

7. Given the interpretative declarations by the Principality on article 6, please provide detailed information on how the Principality can create appropriate conditions for the enjoyment of the right to work.
8. Please provide information on the impact of Act No. 629 of 17 July 1957 on the enjoyment of the right to work by foreign workers residing in the Principality.

9. Please provide updated and disaggregated statistics on the number of resident and non-resident foreign workers in the Principality.

10. Please explain why part-time work, although recognized, is not regulated by the Monaco labour legislation.

#### **Article 7: The right to just and favourable conditions of work**

11. Please provide information on equal opportunities for promotion not only in professional ranks but in wages as well, and the enjoyment of the principle of equal remuneration across sectors, in particular for men and women in accordance to article 7 of the Covenant.

12. Please provide updated information on the manner in which the minimum wage is set and please indicate whether it is commensurate to the cost of living.

#### **Article 8: Trade union rights**

13. Indicate the number of labour disputes resolved in the last five years by the Labour Court set up under Act No. 446 of 16 May 1946.

14. Please provide information on the incidence of strikes and the manner in which the State party handles strikes generally.

#### **Article 9: The right to social security**

15. Please describe the main features of the social security schemes in force in the Principality and indicate the nature and level of the coverage as well as the method of financing of such schemes.

16. Please describe the incidence of child abuse and the steps taken to combat this phenomenon.

#### **Article 11: The right to an adequate standard of living**

17. Act No. 1235 of 28 December 2000 grants priority to the protection of persons whose names appear on a list. What is the situation regarding persons who are not on this list?

18. Please provide statistical information with regard to international cooperation, especially with respect to food assistance.

#### **Article 12: The right to physical and mental health**

19. Please indicate the steps taken by the State party to address the mortality rate due to circulatory and respiratory diseases, which is proportionally higher than in other European countries.

20. Bearing in mind the major activities initiated by the Government for health prevention and protection, please provide updated information on sexually transmitted diseases as well as HIV/AIDS, and indicate any measures taken to address these problems.

21. Please provide detailed information on the progress achieved on the implementation of the Government measures to reduce alcoholism and drug addiction.
22. With reference to paragraph 245 of the report, please provide further information on schoolchildren with behavioural problems.
23. Please provide detailed information regarding public education and information campaigns about sexual and reproductive health.

**Articles 13 and 14: The right to education**

24. Please provide information regarding human rights education in Monaco's schools as well as human rights training received by judicial and other public authorities.

**Article 15: The right to take part in cultural life, enjoy the  
benefits of scientific progress and the protection  
of intellectual property**

25. Please provide information on the steps taken by the Principality to promote the Monegasque language and traditions, particularly through its use in creative arts, in the press, radio and television.

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