



---

**Committee on Economic, Social and Cultural Rights****Follow-up progress report on individual communications\*****I. Introduction**

1. The present report is a compilation of information received from States Parties and authors on measures taken to implement the Views and recommendations on individual communications submitted under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The information has been processed in the framework of the follow-up procedure established under article 9 of the Optional Protocol and rule 21 of the rules of procedure under the Optional Protocol.

**II. Communications**

---

*Hernández Cortés et al. v. Spain (E/C.12/72/D/26/2018)*

---

Date of adoption of Views:	10 October 2022
Subject matter:	Eviction of family without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

**1. Committee's recommendations in respect of the authors and their daughters**

2. The State Party is under an obligation to provide effective reparation to the authors and their daughters, in particular:

(a) If they do not have adequate housing, to reassess their state of necessity and their level of priority on the waiting list, taking into account the length of time that their application for housing has been on file with the Community of Madrid, starting from the date on which they applied, with a view to allocating public housing to them or providing them with any other measure enabling them to live in adequate housing, in accordance with the criteria set out in the Views;

(b) To provide the authors and their daughters with financial compensation for the violations suffered;

(c) To reimburse the authors for the legal costs reasonably incurred in submitting the communication, at both the domestic and international levels.

**2. Committee's general recommendations**

3. The State Party has the following obligations:

---

\* Adopted by the Committee at its seventy-ninth session (9 February–6 March 2026).



(a) To ensure that the normative framework allows persons in respect of whom an eviction order is issued and who might consequently be at risk of destitution or of violation of their Covenant rights, including persons who are occupying a dwelling without legal title, to challenge the decision before a judicial or other impartial and independent authority with the power to order the cessation of the violation and to provide an effective remedy so that such authorities can examine the proportionality of the measure in the light of the criteria for limiting the rights enshrined in the Covenant under the terms of article 4;

(b) To adopt the measures necessary to put an end to the practice of automatically excluding from lists of applicants for housing all persons who are occupying a dwelling without legal title because they are in a state of necessity, so that all persons have equal access to the social housing stock, removing any unreasonable condition that might exclude persons at risk of destitution;

(c) To take the measures necessary to ensure that evictions involving persons who do not have the means of obtaining alternative housing are carried out only following genuine consultation with the persons concerned<sup>1</sup> and once the State Party has taken all essential steps, to the maximum of its available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children and/or other persons in vulnerable situations;

(d) To develop and implement, in coordination with the autonomous communities, to the maximum of available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991).<sup>2</sup> This plan should provide for the necessary resources, indicators, time frames and evaluation criteria to guarantee these individuals' right to housing in a reasonable and measurable manner.

### **3. State Party's lack of response**

4. In its previous follow-up observations, dated 14 December 2023, the State Party informed the Committee that the authors remained listed as applicants for social housing but had not been allocated social housing by then, and that they had received social vouchers for electricity, heating and water services. It also informed the Committee about legislative measures, including the entry into force of the Right to Housing Act (Act No. 12/2023), which had introduced the following measures: (a) that, in the decree authorizing the eviction order, the person being evicted must be informed of the possibility of contacting the competent public authorities in the areas of housing, social assistance, evaluation and reporting of situations of social need, and immediate services for persons in situations of social exclusion or at risk thereof; and (b) that the court must communicate the existence of the eviction order to these same competent public authorities so that they can examine the person's situation of vulnerability and notify the court as soon as possible in the event that the household affected is in a situation of economic vulnerability.

5. On 7 March 2025, the Committee's follow-up report<sup>3</sup> was transmitted to the State Party through the secretariat. The State Party was given until 9 June 2025 to provide an answer. On 19 September 2025, through the secretariat, a reminder was sent to the State Party indicating that, in the absence of a response, the Committee would analyse compliance with the ruling in the absence of information from the State Party. No response has been received to date.

### **4. Authors' lack of response**

6. On 7 March 2025, the Committee's follow-up report was transmitted to the authors through the secretariat. No response has been received to date.

---

<sup>1</sup> *Ben Djazia et al. v. Spain* (E/C.12/61/D/5/2015), para. 21 (c).

<sup>2</sup> See also E/C.12/ESP/CO/6, para. 36.

<sup>3</sup> E/C.12/77/3.

## 5. Committee's decision

7. In the light of the foregoing, the Committee decides to close the follow-up procedure with a B assessment (partially satisfactory) in respect of the individual measures. For the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit any additional information in the context of the State review under article 16 of the Covenant.

---

*Gómez-Limón Pardo v. Spain* (E/C.12/67/D/52/2018)

---

Date of adoption of Views:	5 March 2020
Subject matter:	Eviction without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

## 1. Committee's recommendations in respect of the author

8. The State Party is under an obligation to provide effective reparation to the author, in particular:

- (a) To undertake genuine consultation with the author to examine her needs in terms of suitable alternative housing and, if necessary, provide her with such housing;
- (b) To reimburse the author for the legal costs reasonably incurred in submitting the communication.

## 2. Committee's general recommendations

9. The State Party has the following obligations:

- (a) To ensure that the normative framework allows persons in respect of whom an eviction order is issued and who might consequently be at risk of destitution or of violation of their Covenant rights to challenge the decision before a judicial or other impartial and independent authority with the power to order the cessation of the violation and to provide an effective remedy so that such authorities can examine the proportionality of the measure in the light of the criteria for limiting the rights enshrined in the Covenant under the terms of article 4;
- (b) To establish a protocol for complying with requests for interim measures issued by the Committee and to inform all relevant authorities of the need to respect such requests in order to ensure the integrity of the procedure.

## 3. State Party's lack of response

10. In its previous report, of 2 July 2021, the State Party informed the Committee that the author's application for social housing had been rejected because she had 100 per cent full joint ownership of a dwelling, and that she had been residing since 25 February 2019 in housing provided by an association – Plataforma de Afectados por la Hipoteca. The State Party also informed the Committee about general policy measures, including a rental subsidy plan.

11. On 7 March 2025, the Committee's follow-up report was transmitted to the State Party through the secretariat. The State Party was given until 9 June 2025 to provide an answer. On 19 September 2025, through the secretariat, a reminder was sent to the State Party indicating that, in the absence of a response, the Committee would analyse compliance with the ruling in the absence of information from the State Party. No response has been received to date.

#### 4. Author's lack of response

12. On 7 March 2025, the Committee's follow-up report was transmitted to the author through the secretariat. On 17 April 2025, the Committee agreed to extend the deadline for submitting comments to 19 May 2025, and subsequently further extended it to 2 July 2025. No response has been received to date.

#### 5. Committee's decision

13. In the light of the foregoing, the Committee decides to close the follow-up procedure with a B assessment (partially satisfactory) in respect of the individual measures. For the general measures, it decides to close the follow-up dialogue and invites the State Party to submit any additional information in the context of the State review under article 16 of the Covenant.

---

*Naser et al. v. Spain (E/C.12/71/D/127/2019)*

---

Date of adoption of Views:	28 February 2022
Subject matter:	Eviction of family without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

#### 1. Committee's recommendations in respect of the author and her family

14. The State Party is under an obligation to provide effective reparation to the author and her family, in particular:

- (a) To undertake genuine consultation with the author to examine her family's needs in terms of suitable alternative housing and, if necessary, provide her with such housing;
- (b) To reimburse the author for the legal costs reasonably incurred in submitting the communication.

#### 2. Committee's general recommendations

15. The State Party has the following obligations:

- (a) To ensure that the normative framework allows persons in respect of whom an eviction order is issued and who might consequently be at risk of destitution or of violation of their Covenant rights to challenge the decision before a judicial or other impartial and independent authority with the power to order the cessation of the violation and to provide an effective remedy so that such authorities can examine the proportionality of the measure in the light of the criteria for limiting the rights enshrined in the Covenant under the terms of article 4;
- (b) To take the measures necessary to ensure that evictions involving persons who do not have the means of obtaining alternative housing are carried out only following genuine consultation with the persons concerned and once the State Party has taken all essential steps, to the maximum of its available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children and/or other persons in vulnerable situations;
- (c) To develop and implement, in coordination with the autonomous communities, to the maximum of available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991).<sup>4</sup> This plan should provide for the necessary resources, indicators, time frames and evaluation criteria to guarantee these individuals' right to housing in a reasonable and measurable manner.

---

<sup>4</sup> See also [E/C.12/ESP/CO/6](#), para. 36.

### 3. State Party's lack of response

16. In its previous report, dated 21 December 2023, the State Party informed the Committee that the author was registered as an applicant for social housing but had not been allocated any housing by that date.

17. On 7 March 2025, the Committee's follow-up report was transmitted to the State Party through the secretariat. The State Party was given until 9 June 2025 to provide an answer. On 19 September 2025, through the secretariat, a reminder was sent to the State Party indicating that, in the absence of a response, the Committee would analyse compliance with the ruling in the absence of information from the State Party. No response has been received to date.

### 4. Author's lack of response

18. On 7 March 2025, the Committee's follow-up report was transmitted to the author through the secretariat. No response has been received to date.

### 5. Committee's decision

19. In the light of the foregoing, the Committee decides to close the follow-up procedure with a B assessment (partially satisfactory) in respect of the individual measures. For the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit any additional information in the context of the State review under article 16 of the Covenant.

---

*Walters v. Belgium* (E/C.12/70/D/61/2018)

---

Date of adoption of Views:	12 October 2021
Subject matter:	Eviction of the tenant following judicial proceedings initiated by the owner
Article violated:	Article 11 (1) of the Covenant

---

### 1. Committee's recommendations in respect of the author

20. The State Party is under an obligation to provide effective reparation to the author, in particular:

(a) If the author does not have adequate housing, to reassess the author's state of necessity with a view to allocating social housing to him or providing him with any other measure enabling him to live in adequate housing in accordance with the criteria set out in the present Views;

(b) To compensate him for the violations suffered;

(c) To reimburse him for the legal costs reasonably incurred in submitting this communication.

### 2. Committee's general recommendations

21. The State Party has the following obligations:

(a) To review its current legislation that allows the landlord to terminate the lease without cause, in order to introduce flexibility and special measures to avoid a disproportionate impact on the right to adequate housing of disadvantaged groups, such as older persons in a disadvantaged socioeconomic situation;

(b) To regularly evaluate legislation that allows the landlord to terminate the lease without cause, in order to assess the overall impact of these regulations on the enjoyment of the right to adequate housing, in particular for disadvantaged groups, and, if necessary, make the necessary adjustments to protect this right;

(c) To take the measures necessary, to the maximum of available resources, to ensure that disadvantaged groups, such as older persons in unfavourable socioeconomic

situations, who are evicted from their homes, have access to alternative accommodation that meets their particular needs and provides them with stability and security commensurate with their age and circumstances.

### **3. Submission from the State Party**

22. In a note verbale dated 11 September 2024, the State Party submitted its response to the Committee's recommendations.

23. The State Party adopted the Ordinance of 4 April 2024, which entered into force on 1 November 2024, amending the Brussels Housing Code, to give effect to the right to housing. Several provisions of the Ordinance aim to ensure security of tenure for tenants in various areas, with a view to stabilizing their housing situation, to combat barriers to claiming rights by the most vulnerable tenants, and to deter unlawful evictions by introducing severe penalties and an expedited judicial procedure. Moreover, the Brussels Housing Code already allows tenants to request a lease extension in exceptional circumstances, with old age cited as a possible factor. However, the Ordinance amended the procedure so that failure to send the request by registered mail no longer results in nullity.

### **4. Comments by the authors**

24. On 13 May 2025, the author submitted his comments on the State Party's observations.

25. Regarding the individual recommendations, the author states that he still does not have access to adequate housing and is forced to rely on third parties who provide him with temporary accommodation. Moreover, the State Party has not contacted the author to implement the recommendations, and no remedies have been allowed for the violations suffered by the author.

26. Regarding the general recommendations, the author argues that no concrete measures have been taken to review the legislation to introduce flexibilities and special measures to prevent disproportionate impacts on the right to adequate housing. In particular, no steps have been taken to ensure that elderly persons in vulnerable socioeconomic situations, when evicted, have access to alternative housing that meets their specific needs and provides appropriate stability and security. The author points out that no measure assesses the impacts of the lessor's right to terminate the lease without cause despite there being no contractual breach by the tenant.

27. The author further argues that no concrete measures ensure that vulnerable elderly persons have effective access to alternative housing meeting their specific needs.

### **5. Committee's decision**

28. The Committee considers that the State Party has not undertaken a genuine consultation with the author to examine his needs in terms of suitable alternative housing and, if necessary, to provide him with such housing. The Committee notes that the State Party, as the duty bearer, has an obligation to proactively contact the author to consult him on the most appropriate manner of implementing the individual reparations, which it has so far failed to do. In view of the time that has elapsed, the Committee decides to close the follow-up dialogue with a C assessment (non-compliance) for the individual measures of reparation. Regarding the general measures, the Committee considers that the provisions adopted by the State Party are a positive initial step towards compliance with the general recommendations. It notes, nevertheless, that the provisions are not sufficient, as they lack specificity and clear mechanisms for addressing the urgent housing needs of vulnerable persons such as the author. The Committee decides to close the dialogue and invites the State Party to provide additional information in the context of the State review under article 16 of the Covenant.

---

*López Albán et al. v. Spain (E/C.12/66/D/37/2018)*

---

Date of adoption of Views:	11 October 2019
Subject matter:	Eviction without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

## 1. Committee's recommendations in respect of the author and her children

29. The State Party is under an obligation to provide the author and her children with an effective remedy, in particular:

(a) If they are not currently in adequate housing, reassess the necessity of their situation and their level of priority on the waiting list, taking into account the length of time that their application for housing has been on file with the Community of Madrid, starting from the date on which they applied, with a view to providing them with public housing or taking some other measure that would enable them to live in adequate housing, bearing in mind the criteria set out in the present Views;

(b) Provide the author and her children with financial compensation for the violations suffered;

(c) Reimburse the author for the legal costs reasonably incurred in submitting this communication.

## 2. Committee's general recommendations

30. The State Party has the following obligations:

(a) Establish a legal framework regulating the eviction of people from their homes that incorporates a requirement for the judicial authorities to conduct an analysis of the proportionality of the aim pursued by the measure relative to its consequences for the persons evicted, and of its compatibility with the Covenant, in all cases, including when the properties are occupied without legal title;

(b) Ensure that persons subject to an eviction order are able to challenge the decision or lodge an appeal with a view to having the judicial authorities assess the proportionality of the aim pursued by the measure relative to its consequences for the persons evicted, and its compatibility with the Covenant, in all cases, including when the properties are occupied without legal title;

(c) Adopt the measures necessary to ensure that all persons have equal access to the social housing stock, by removing any unreasonable condition that might exclude persons at risk of indigence. In particular, the State should end the practice of automatically excluding persons who are occupying a property without legal title because they are in a situation of necessity;

(d) Take the measures necessary to ensure that evictions involving persons who do not have the means of obtaining alternative housing are carried out only following genuine consultation with the persons concerned and once the State has taken all essential steps, to the maximum of its available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children or other persons in vulnerable situations;

(e) Develop and implement, in coordination with the autonomous communities and to the maximum of its available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991).<sup>5</sup> This plan should establish the resources, measures, indicators, time frames and evaluation criteria necessary to guarantee these individuals' right to housing in a reasonable and measurable manner;

---

<sup>5</sup> See also [E/C.12/ESP/CO/6](#), para. 36.

(f) Establish a protocol for complying with requests for interim measures issued by the Committee and inform all relevant authorities of the need to respect such requests, in order to ensure the integrity of the procedure.

31. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### **3. Submission from the State Party**

32. In a note verbale dated 14 December 2023, the State Party submitted its response to the Committee's recommendations.

33. Regarding the individual recommendations in respect of the author and her family, the State Party referred to a report received from the municipal authorities of San Sebastián de los Reyes explaining that the author had received guidance on how to access social assistance and had benefited from food and transport aid for herself and her children. The same report indicated that, in June 2022, the author had moved to Alcobendas (in Madrid), where she received child support from her former partner and had obtained employment in the hospitality sector. The Committee notes the report from the Alcobendas Municipality indicating that follow-up interviews had been conducted with the author, who in 2023 stated that she was receiving income from her employment in addition to the salary of her eldest son, aged 22. The municipal authorities further noted that she had been informed of the social protection measures for which she was eligible. Lastly, the Committee notes the State Party's assertion that the author did not renew, in 2023, her application to the Social Housing Agency of the Autonomous Community of Madrid to be allocated public housing, and that there is no record of any subsequent applications for special or emergency housing.

34. With regard to the general recommendations, the State Party reported on the cooperation agreements established between the judiciary and the governments of the autonomous communities of Asturias, Andalusia, Aragon, Castilla-La Mancha, Galicia, La Rioja, Madrid, Murcia, Navarre, the Basque Country and Valencia, together with their local councils. These agreements concern the social measures to be considered prior to the eviction of persons in vulnerable situations. Moreover, the State Party referred to social assistance measures, particularly subsidies for electricity for vulnerable populations and the social water subsidy for low-income families. The State Party indicates that Royal Decree-Law No. 20/2022 extended, until 31 December 2023, the prohibition on cutting off the supply of electricity, natural gas and water to consumers who are vulnerable or at risk of social exclusion. The same Royal Decree-Law limits the extent to which the rents stipulated in leases may be subsequently adjusted. The State Party adds that the Right to Housing Act (Act No. 12/2023) entered into force on 26 May 2023. One of the provisions amended by the Act is article 441 (5) of the Civil Procedure Act, which now requires: (a) that, in the decree authorizing the eviction order, the person being evicted must be informed of the possibility of contacting the competent public authorities in the areas of housing, social assistance, evaluation and reporting of situations of social need, and immediate services for persons in situations of social exclusion or at risk thereof; and (b) that the court must communicate the existence of the eviction order to these same competent public authorities so that they can examine the person's situation of vulnerability and notify the court as soon as possible in the event that the household affected is in a situation of economic vulnerability.

35. The State Party concludes that the author and her family can avail themselves of a stable regulatory framework that provides for numerous measures to meet the needs of the family and that the authorities have made all possible efforts, mobilizing all available resources. In conclusion, the State Party considers that it has implemented the Committee's recommendations and requests that the procedure for follow-up to the Views be closed.

### **4. Author's lack of response**

36. On 18 March 2024, the State Party's follow-up comments were transmitted to the author through the secretariat and she was given until 20 May 2024 to provide a response. On 17 March 2025, through the secretariat, a reminder was sent to the author indicating that, in the absence of a response from her, the Committee could consider that she had lost interest in following up on the recommendations contained in the Views and decide to discontinue its follow-up thereon.

## 5. Committee's decision

37. The Committee notes the State Party's assertion that the author did not renew her application to be allocated social housing, but that she now has sufficient means to support herself and her family, as well as the support of various municipal authorities. The Committee welcomes the cooperation agreements concluded with several autonomous communities, although it notes that the results of these agreements have not been specified, nor have details been provided regarding efforts to establish similar agreements with other autonomous communities that remain pending.

38. Considering that only the State Party has provided follow-up information, the Committee will give due weight to this information. The Committee thus considers that the State Party has taken some satisfactory action in relation to the Committee's recommendations in respect of the author. In the light of the foregoing, and in the absence of comments from the author, the Committee decides to close the follow-up procedure with a B assessment (partial compliance) in respect of the individual measures. Regarding the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit additional information in the context of the State review under article 16 of the Covenant.

---

*Ben Djazia et al v. Spain (E/C.12/61/D/5/2015)*

---

Date of adoption of Views:	20 June 2017
Subject matter:	Eviction without alternative housing
Article violated:	Article 11 (1), read separately and in conjunction with articles 2 (1) and 10 (1), of the Covenant

---

### 1. Committee's recommendations in respect of the authors

39. The State Party has an obligation to provide the authors with an effective remedy, in particular:

(a) In the event that the authors do not have adequate accommodation, to assess their current situation and, following genuine consultation with them, to grant them public housing or any other measure enabling them to enjoy adequate accommodation, taking into account the criteria established in these Views;

(b) To award the authors financial compensation for the violations suffered;

(c) To reimburse the authors for the legal costs reasonably incurred in the processing of this communication.

### 2. Committee's general recommendations

40. The State Party has the following obligations:

(a) To adopt appropriate legislative and/or administrative measures to ensure that in judicial proceedings in relation to the eviction of tenants, defendants are able to object or lodge an appeal so that the judge may consider the consequences of eviction and its compatibility with the Covenant;

(b) To adopt the measures necessary to resolve the lack of coordination between court decisions and the actions of social services, which can result in an evicted person being left without adequate accommodation;

(c) To take the measures necessary to ensure that evictions involving persons who do not have the means of obtaining alternative housing are carried out only following genuine consultation with the persons concerned and once the State has taken all essential steps, to the maximum of available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children and/or other persons in vulnerable situations;

(d) To develop and implement, in coordination with the autonomous communities, to the maximum of available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991).<sup>6</sup> This plan should provide for the necessary resources, indicators, time frames and evaluation criteria to guarantee these individuals' right to housing in a reasonable and measurable manner.

41. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### 3. Submission from the State Party

42. In a communication dated 11 December 2023 and a note verbale dated 11 January 2024, the State Party submitted its response to the Committee's recommendations.

43. Regarding the first individual recommendation in respect of the author and his family, the State Party refers to a report received from the social services of Madrid City Council indicating that the family received permanent housing as of 19 January 2018. In addition, the family has received dental care assistance and support to access a financial aid programme aimed at compensating water usage costs for large families. Furthermore, the State Party stated that the children were on a waiting list to receive school support and had been provided with additional assistance by the municipality.

44. With regard to the general recommendations, the State Party reported on the cooperation agreements established between the judiciary and the governments of the autonomous communities of Asturias, Andalusia, Aragon, Castilla-La Mancha, Galicia, La Rioja, Madrid, Murcia, Navarre, the Basque Country and Valencia together with their local councils. These agreements concern the social measures to be considered prior to the eviction of persons in vulnerable situations.

### 4. Comments by the author

45. On 14 May 2024, the author submitted his comments on the State Party's observations.

46. Regarding the second and third individual recommendation, the author states that they have obtained access to permanent housing. However, he claims that, despite having submitted several requests to the Autonomous Community of Madrid, he and his family have not received the corresponding compensation or any official response. In addition, he notes that the Committee's Views have not been published in an accessible format for the main population affected by evictions, nor through formal channels such as the Official Bulletin (Boletín Oficial).

47. Regarding the first general recommendation, the authors argue that although Royal Decree-Law No. 7/2019 allowed for the temporary four-month suspension of certain eviction proceedings based on situations of vulnerability, the law does not establish a clear mechanism for accessing such a suspension, leaving its application to the discretion of the authorities.

48. With respect to the second general recommendation, the author notes that, while cooperation between authorities has improved and the official number of evictions in the State Party has changed, in their view, effective coordination and communication mechanisms are still lacking.

49. Concerning the third general recommendation, the author indicates that the stock of public housing options available as alternatives in eviction cases has not been expanded and that more than 70 evictions continue to take place daily. The author argues that this situation prevents the individuals affected from accessing suspension measures or alternative housing and therefore considers that this recommendation has not been fulfilled.

50. Finally, as to the fourth general recommendation, although progress has been made through the State Housing Law (Ley Estatal por el Derecho a la Vivienda), the author contends that it does not establish a progressive plan to ensure adequate and dignified housing for persons in situations of vulnerability. He further emphasizes that the State Party's efforts

<sup>6</sup> See also [E/C.12/ESP/CO/5](#), para. 21.

have primarily been focused on providing support to middle-class families or on guaranteeing loans for the purchase of housing, without addressing the needs of those who lack the means even to access rental housing or the real estate market.

## 5. Committee's decision

51. The Committee notes that some measures have been taken. However, the authors have not been compensated. In the light of the information provided by the parties, the Committee decides to close the follow-up procedure with a B assessment (partial compliance) in respect of the individual measures. Regarding the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit additional information in the context of the State review under article 16 of the Covenant.

---

*El Ayoubi et al v. Spain (E/C.12/69/D/54/2018)*

---

Date of adoption of Views:	19 February 2021
Subject matter:	Eviction without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

## 1. Committee's recommendations in respect of the authors and their children

52. The State Party is under an obligation to provide the authors and their children with an effective remedy, in particular by:

(a) If they are not currently in adequate housing, reassessing their state of necessity and their level of priority on the waiting list, taking into account the length of time that their application for housing has been on file with the Autonomous Community of Madrid, starting from the date on which they applied, with a view to providing them with public housing or taking some other measure that would enable them to live in adequate housing, bearing in mind the criteria set out in the present Views;

(b) Provide the authors and their children with financial compensation for the violations suffered;

(c) Reimburse the authors for the legal costs reasonably incurred in submitting this communication, at both the domestic and the international levels.

## 2. Committee's general recommendations

53. The State Party has the following obligations:

(a) To ensure that the normative framework allows persons in respect of whom an eviction order is issued and who might consequently be at risk of destitution or of violation of their Covenant rights, including persons who are occupying a property illegally, to challenge the decision before a judicial or other impartial and independent authority with the power to order the cessation of the violation and to provide an effective remedy so that such authorities can examine the proportionality of the measure in the light of the criteria for limiting the rights enshrined in the Covenant under the terms of article 4;

(b) To adopt the measures necessary to put an end to the practice of automatically excluding from lists of applicants for housing all persons who find themselves occupying a property illegally because they are in a situation of necessity, so that all such persons have equal access to the social housing stock, removing any unreasonable condition that might exclude persons at risk of indigence;

(c) To take the measures necessary to ensure that evictions involving persons who do not have the means of obtaining alternative housing are carried out only following genuine consultation with the persons concerned<sup>7</sup> and once the State has taken all essential steps, to the maximum of its available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children or other persons in vulnerable situations;

---

<sup>7</sup> *Ben Djazia et al. v. Spain*, para. 21 (c).

(d) To develop and implement, in coordination with the autonomous communities and to the maximum of its available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991).<sup>8</sup> This plan should establish the resources, measures, indicators, time frames and evaluation criteria necessary to guarantee these individuals' right to housing in a reasonable and measurable manner.

54. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### 3. Submission from the State Party

55. In a note verbale dated 11 December 2023 and later a note verbale dated 11 January 2024, the State Party submitted its response to the Committee's recommendations.

56. Regarding the recommendations in respect of the authors and their children, the State Party recalls that the authors and their children are protected by a stable legal framework that ensures social, economic and housing support for vulnerable families, along with judicial and administrative remedies to challenge administrative or judicial decisions.

57. The authors have access to free or subsidized basic supplies through the social electricity subsidy, which grants a 25 per cent discount for vulnerable consumers, a 40 per cent discount for severely vulnerable ones, and full coverage for those at risk of social exclusion receiving social services that cover at least 50 per cent of the bill. In such cases, the electricity supply cannot be suspended for non-payment. The authors also have access to the social heating subsidy. Under Royal Decree-Law No. 20/2022, value added tax of 5 per cent applied to intracommunity supplies, imports and acquisitions of electricity until 31 December 2023. The authors also have access to the social water subsidy for low-income families. Article 4 of Royal Decree-Law No. 20/2022 extended the ban on cutting off electricity, gas and water supplies to vulnerable, severely vulnerable and socially excluded consumers until 31 December 2023. Royal Decree-Law No. 20/2022 limited annual rent increases in housing leases, to up to 2 per cent until 31 December 2023 and up to 3 per cent between 1 January and 31 December 2024, as set out in article 67.

58. The State Party notes that the authors submitted a special needs public housing application to the Community of Madrid in February 2017, which was closed due to incomplete documentation. No further applications have been submitted since.

59. The State Party declares that the father has an income and that the authors have been granted care-related benefits, as the mother is the recognized carer of a child with level II dependency. The authors also receive a child supplement linked to the minimum living wage.

60. The State Party notes that the authors are now separated, and the mother and the two children have moved to Valladolid.

61. With regard to the general recommendations, the State Party declares that it continues to strengthen cooperation between judicial authorities, social services and other competent administrations through Law No. 12/2023 on the Right to Housing.

62. The State Party reports that the Views have been published on the website of the Ministry of the Presidency, Justice and Relations with the Courts.

### 4. Authors' lack of response

63. On 26 March 2024, the State Party's follow-up comments were transmitted to the authors through the secretariat, and they were given until 27 May 2024 to provide a response. On 17 February 2025, through the secretariat, a reminder was sent to the authors indicating that, in the absence of a response from them, the Committee could consider that they had lost interest in following up on the recommendations contained in the Views and decide to discontinue its follow-up thereon.

<sup>8</sup> See also [E/C.12/ESP/CO/6](#), para. 36.

## 5. Committee's decision

64. Considering that only the State Party has provided follow-up information, the Committee will give due weight to this information. The Committee thus considers that the State Party has taken some satisfactory action in relation to the Committee's recommendations in respect of the authors. However, the Committee notes that the State Party has not provided compensation to the authors. In the light of the foregoing, and in the absence of comments from the authors, the Committee decides to close the follow-up procedure with a B assessment (partial compliance) in respect of the individual measures. Regarding the general measures, the Committee decides to close the follow-up procedure and invites the State Party to submit additional information in the context of the State review.

---

*Infante Díaz v. Spain* (E/C.12/73/D/134/2019)

---

Date of adoption of Views:	27 February 2023
Subject matter:	Eviction without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

### 1. Committee's recommendations in respect of the author and her son

65. The State Party is under an obligation to provide the author and her son with an effective remedy, in particular by:

- (a) Granting them financial compensation for the violations;
- (b) Assessing their level of need in order to provide them with alternative housing.

### 2. Committee's general recommendations

66. The Committee recalls that the State Party is under an obligation to prevent similar violations in the future. The State Party must therefore ensure that its legislation and the enforcement thereof are consistent with the obligations established under the Covenant. In particular, the State Party is under an obligation to ensure that the regulatory framework allows access to the social housing stock for anyone, including undocumented migrants occupying a property unlawfully, who is subject to an eviction order that could put them at risk of destitution or of a violation of their Covenant rights.

67. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### 3. Submission from the State Party

68. In a note verbale dated 12 December 2023, the State Party submitted its response to the Committee's recommendations.

69. Regarding the recommendations in respect of the author and her son, the State Party reports that the case was closed due to inactivity on 5 October 2022. Since then, the author has neither reapplied for the resources provided by the social services that were monitoring her nor reported her current circumstances.

70. The State Party recalls that the author is protected by a stable legal framework that ensures social, economic and housing support for vulnerable families, along with judicial and administrative remedies to challenge administrative or judicial decisions.

71. The author has access to free or subsidized basic supplies through the social electricity subsidy, which grants a 25 per cent discount for vulnerable consumers, a 40 per cent discount for severely vulnerable ones, and full coverage for those at risk of social exclusion receiving social services that cover at least 50 per cent of the bill. In such cases, the electricity supply cannot be suspended for non-payment. The authors also have access to the social heating subsidy. Under Royal Decree-Law No. 20/2022, value added tax of 5 per cent applied to intracommunity supplies, imports and acquisitions of electricity until 31 December 2023. The authors also have access to the social water subsidy for low-income families. Article 4

of Royal Decree-Law No. 20/2022 extended the ban on cutting off electricity, gas and water supplies to vulnerable, severely vulnerable and socially excluded consumers until 31 December 2023. Royal Decree-Law No. 20/2022 limited annual rent increases in housing leases, to up to 2 per cent until 31 December 2023 and up to 3 per cent between 1 January and 31 December 2024, as set out in article 67.

72. With regard to the general recommendations, the State Party declares that it continues to strengthen cooperation between judicial authorities, social services and other competent administrations through Law No. 12/2023 on the Right to Housing.

#### 4. Author's lack of response

73. On 18 March 2024, the State Party's follow-up comments were transmitted to the author through the secretariat, and she was given until 20 May 2024 to provide a response. On 17 February 2025, through the secretariat, a reminder was sent to the author indicating that, in the absence of a response from her, the Committee could consider that she had lost interest in following up on the recommendations contained in the Views and decide to discontinue its follow-up thereon.

#### 5. Committee's decision

74. Considering that only the State Party has provided follow-up information, the Committee will give due weight to this information. The Committee thus considers that the State Party has taken some satisfactory action in relation to the Committee's recommendations in respect of the author. However, the Committee notes that the State Party has not provided compensation to the author. In the light of the foregoing, and in the absence of comments from the author, the Committee decides to close the follow-up procedure with a B assessment (partial compliance) in respect of the individual measures. Regarding the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit additional information in the context of the State review under article 16 of the Covenant.

---

*Saydawi v. Italy* (E/C.12/75/D/226/2021) and *Farah v. Italy* (E/C.12/75/D/227/2021)

---

Date of adoption of Views:	16 February 2024
Subject matter:	Eviction of families from a dwelling that they were occupying without alternative housing
Article violated:	Article 11 (1) of the Covenant

---

#### 1. Committee's recommendations in respect of the authors

75. The State Party is under an obligation to provide the authors with an effective remedy, in particular by:

(a) Reassessing, if they are not currently in adequate housing, their state of necessity and their place on the waiting list, taking into account the length of time that their application for housing has been on file with the relevant authorities, starting from the date on which they applied, with a view to providing them with public housing or taking some other measure that would enable them to live in adequate housing, bearing in mind the criteria set out in the present Views;

(b) Providing the authors with financial compensation for the violations of their rights;

(c) Reimbursing the authors for the legal costs reasonably incurred in submitting the present communications, at both the domestic and the international levels.

#### 2. Committee's general recommendations

76. The Committee considers that the remedies recommended in the context of individual communications may include guarantees of non-repetition and recalls that the State Party has an obligation to prevent similar violations in the future. The State Party should ensure that its

legislation and the enforcement thereof are consistent with the obligations established under the Covenant. In particular, the State Party has an obligation:

(a) To ensure that its normative framework allows persons in respect of whom an eviction order is issued and who might consequently be at risk of destitution or of violation of their Covenant rights, including persons who have scarce economic resources or are occupying a dwelling without legal title, to challenge the decision before a judicial or other impartial and independent authority with the power to order the cessation of the violation and to provide an effective remedy so that such authorities can examine the proportionality of the measure in the light of the criteria for limiting the rights enshrined in the Covenant under the terms of article 4;

(b) To take the measures necessary to ensure that evictions affecting persons who do not have the means of obtaining alternative housing are carried out only within the framework of proceedings involving genuine and effective consultation with the persons concerned, in which all available alternative housing (whether belonging to such persons or made available by the relevant State agencies) is assessed and only after the State has taken all essential steps, to the maximum of its available resources, to ensure that evicted persons have alternative housing, especially in cases involving families, older persons, children and/or other persons in vulnerable situations. If the group to be evicted includes children, the proceedings must guarantee their right to be heard;

(c) To take the measures necessary to solve the problems caused by the failure of the courts and social services to coordinate their efforts, which can result in an evicted person being left without adequate accommodation;

(d) To develop and implement, to the maximum of its available resources, a comprehensive plan to guarantee the right to adequate housing for low-income persons, in keeping with the Committee's general comment No. 4 (1991). This plan should provide for the necessary resources, indicators, time frames and evaluation criteria to guarantee these individuals' right to housing in a reasonable, timely and measurable manner.

77. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### **3. Submission from the State Party**

78. In a note verbale dated 2 September 2024, the State Party submitted its response to the Committee's recommendations.

79. The State Party notes that the eligibility for public housing was verified in accordance with article 11 (e) of Regional Law No. 12/1999. Based on Roma Capitale's preliminary assessments and meetings with the families and unions, Mr. Farah's family met all legal requirements and was provided with alternative housing on 24 July 2024. Mr. Saydawi's family did not meet the income requirement under article 11 (e), as their 2023 income exceeded the regional threshold for housing assistance, making them ineligible.

80. The State Party reports that the Views have been translated into Italian, published on the website of the Interministerial Committee for Human Rights (Comitato Interministeriale per i Diritti Umani) and distributed to the central administrations concerned.

### **4. Comments by the authors**

81. On 9 May 2025, the authors submitted their comments on the State Party's observations.

82. The authors note that Mr. Saydawi and his wife slept in their car for several days after being evicted on 22 July 2024. They currently continue to live in a precarious situation, being hosted either in the house of their son, or of their daughter. The situation has caused considerable stress for the couple, both of whom are over 60. Mr. Saydawi has not received any offer for public housing, nor compensation for the violation of his rights.

83. The authors note that the Interministerial Committee for Human Rights reiterated the claim that Mr. Saydawi exceeded the income threshold for access to public housing, allegedly earning €60,000 annually. However, at the time of eviction, his actual income was just over

€10,000, which is insufficient to secure private rental housing or qualify for temporary accommodation. In 2020, the family's income was €21,000, not €60,000.

84. The authors report that the State Party has offered social housing to Mr. Farah, without providing economic compensation or the reimbursement of legal expenses.

## 5. Committee's decision

85. The Committee takes note with interest of the reassessment of the authors' situation in July 2024, as a result of which social housing was granted to Ms. Farah's family, and Mr. Saydawi's family was declared ineligible as their income exceeded the regional threshold for housing assistance. However, the Committee notes that the authors have not received any compensation to date. The Committee therefore decides to close the follow-up procedure for both communications with a B assessment (partial compliance). Regarding the general measures, the Committee decides to close the follow-up dialogue and invites the State Party to submit additional information in the context of the State review under article 16 of the Covenant.

---

*S.C. and G.P. v. Italy* (E/C.12/65/D/22/2017)

---

Date of adoption of Views:	7 March 2019
Subject matter:	Regulation of in vitro fertilization
Article violated:	Article 12, read alone and in conjunction with article 3, of the Covenant

---

## 1. Committee's recommendations in respect of the authors

86. The State Party is under an obligation to provide the authors with an effective remedy, including by:

(a) Establishing the appropriate conditions to enable the authors' right to access in vitro fertilization treatments with trust that their right to withdraw their consent to medical treatments will be respected;

(b) Ensuring that S.C. is protected from any unwanted medical intervention and that her right to make free decisions regarding her own body is respected;

(c) Awarding S.C. adequate compensation for the physical, psychological and moral damage suffered;

(d) Reimbursing the authors for the legal costs reasonably incurred in the processing of the present communication.

## 2. Committee's general recommendations

87. The State Party has the following obligations:

(a) To adopt appropriate legislative and/or administrative measures to guarantee the right of all women to take free decisions regarding medical interventions affecting their bodies, in particular ensuring their right to withdraw their consent to the transfer of embryos into their uterus;

(b) To adopt appropriate legislative and/or administrative measures to guarantee access to all reproductive treatments generally available and to allow all persons to withdraw their consent to the transfer of embryos for procreation, ensuring that all restrictions to access to these treatments comply with the criteria provided in article 4 of the Covenant;

88. The State Party is also requested to publish the Views of the Committee and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

### 3. Submission from the State Party

89. In a note verbale dated 19 September 2024, the State Party submitted its response to the Committee's recommendations.

90. The State Party reports that article 14 (3) of Law No. 40/2024 permits the cryopreservation of embryos solely in cases of serious and documented force majeure related to an unforeseeable health condition of the woman at the time of fertilization, requiring that transfer occur as soon as possible thereafter. This provision was declared unconstitutional insofar as it mandated embryo transfer without adequately safeguarding the woman's health. The State Party further reports that article 1 (1) of Ministerial Decree No. 265/2016 lists, among the essential elements required for valid informed consent, the possibility of embryo cryopreservation in accordance with article 14 of Law No. 40/2004 and Constitutional Court Judgment No. 151/2009 (T), as well as the right to revoke consent only up to the moment of fertilization in accordance with Constitutional Court Judgment No. 151/2009 (Q).

### 4. Comments by the authors

91. On 11 April 2025, the authors submitted their comments on the State Party's observations.

92. Regarding the first recommendation, the authors note that the State Party has not made any progress towards making it possible to withdraw consent to transfer in uterus of the fertilized embryo. The State Party has not taken any legislative or administrative steps to that effect; no bill has been proposed to amend Law No. 40/2004. Moreover, the authors report that fertilized eggs that are not transferred in uterus because, for instance, they are affected by a genetic disorder, continue having to be cryopreserved *sine die*, since research in human embryos is still prohibited.

93. The authors state that no compensation has been paid out to the victims nor legal costs reimbursed.

94. Moreover, the authors report that the State Party has not taken any step to disseminate the Committee's Views.

### 5. Committee's decision

95. In the light of the time that has elapsed since the adoption of the Committee's Views, and the general lack of progress in implementing the reparation measures, the Committee decides to close the follow-up procedure with a C assessment (non-compliance).

---

*J.T. and others v. Finland* (E/C.12/76/D/251/2022 and E/C.12/76/D/289/2022)

---

Date of adoption of Views:	27 September 2024
Subject matter:	Granting of a mineral exploration permit (communication No. 251/2022) and a reservation (communication No. 289/2022) in respect of areas on the Sami people's traditional territory without an impact assessment or free, prior and informed consent
Article violated:	Article 15 (1) (a), read alone and in conjunction with articles 1, 2 (2) and 11 of the Covenant

---

### 1. Committee's recommendations in respect of the authors

96. The State Party should provide the authors with effective reparation for the violations suffered, including through an effective review of the decisions concerning the mineral exploration project and the reservation area, on the basis of an adequate process for free, prior and informed consent, accompanied by an independent assessment of the impact on their rights.

## 2. Committee's general recommendations

97. The State Party is under an obligation to take all steps necessary to prevent similar violations from occurring in the future. In this regard, the State Party is requested to pursue its efforts to amend its legislation and administrative procedures to enshrine therein the international standard of free, prior and informed consent and to include therein provision for environmental, social and cultural impact assessments.<sup>9</sup>

98. The State Party is also requested to initiate the process of legal recognition of the rights of Indigenous Peoples to their traditional lands, including through collective ownership. The State Party is also requested to publish the present Views, to have them translated into the official languages of the State Party and into Northern Sami and to distribute them widely, in an accessible format, so that they reach all sectors of the population.

## 3. Submission from the State Party

99. In a note verbale dated 9 April 2025, the State Party submitted its response to the Committee's recommendations.

100. The State Party notes that section 34 (4) of the Mining Act provides that if the area covered by the application is located in the Sami homeland, the permit applicant must provide an adequate report on the effects of the activities referred to in the application on the right of the Sami as an Indigenous People to maintain and develop their language, culture and traditional livelihoods. The permit applicant must also provide a report on the effects of the activities covered by the application outside the Sami homeland if the activities have a major impact on the rights of the Sami as an Indigenous People.

101. The State Party notes that under section 38 of the Mining Act, the permit authority must assess the effects caused by the activity in accordance with the exploration permit, mining permit or gold panning permit on the rights of the Sami as an Indigenous People to maintain and develop their own language and culture and traditional livelihoods and must consider measures required for decreasing and preventing damage. Furthermore, the Sami Parliament, the Skolt village meeting and the local reindeer herding cooperative must be given an opportunity to comment on the report before the start of cooperation.

102. The State Party notes that the Mining Act provides that in an area specifically intended for reindeer husbandry, the permit authority must, in cooperation with the reindeer herding cooperatives operating in the area, investigate the harm caused to reindeer husbandry by the activities covered by the permit.

103. The State Party notes that section 50 of the Mining Act prohibits the granting of exploration, mining or gold panning permits in the Sami homeland, the Skolt area or special reindeer herding areas if the activities would significantly undermine Sami culture or livelihoods, harm Skolt living conditions or cause substantial damage to reindeer herding.

104. The State Party reports that the Ministry of Economic Affairs and Employment drafted a new decree on mining activities at the end of 2023, and the draft was negotiated with the Sami Parliament in January 2024. The proposed decree specifies the applicant's reporting duties under section 34 and the assessment and cooperation procedure under section 38 of the Mining Act, ensuring impartial and adequate evaluation by the authorities. A preliminary negotiation on the required amendments was held in October 2024 under section 9 of the Sami Parliament Act, but the parties agreed to suspend drafting of the decree pending a thorough review of the Committee's Views issued that month.

105. The State Party notes that the Supreme Administrative Court reviewed the handling by the Safety and Chemicals Agency of mineral exploration permit ML2014:0029 in precedent KHO2021:83 (of 21 June 2021). The Court found that the Agency had adequately assessed the impact of the project on Sami rights under section 38 of the Mining Act and had ensured that the Sami had a genuine opportunity to participate in the negotiation process. The Court also clarified that section 38 did not require Sami consent for the granting of an exploration permit.

---

<sup>9</sup> E/C.12/FIN/CO/7, paras. 50 and 51.

106. The State Party notes that the reform of the Sami Parliament Act is aimed at implementing the principle of free, prior and informed consent in line with international law. Under the proposed section 9, negotiations with the Sami Parliament must genuinely safeguard Sami rights, as an Indigenous People, and be conducted in good faith and mutual respect, not merely in order to meet formal legal requirements (Government Proposal HE 100/2023 vp, p. 89).

107. The State Party recalls that, under the Mining Act and confirmed Finnish case law, a reservation decision only grants priority to apply for an exploration permit. No exploration, gold panning or mining permit can be issued if a valid reservation exists, but the reservation itself has no other legal effect. Consequently, property owners, residents, traders and nature conservation associations cannot seek judicial review of such decisions, as they do not directly affect their rights or interests.

108. The State Party reports that the Ministry for Foreign Affairs issued a press release on the Views of the Committee on 10 October 2024, available in Finnish, Swedish and English. The Views of the Committee were annexed to the press release. The Ministry for Foreign Affairs translated the Views of the Committee into Finnish, which have been disseminated to all relevant authorities. Furthermore, the Ministry for Foreign Affairs has commissioned translations of the Views into Northern Sami.

#### 4. Comments by the authors

109. On 6 July 2025, the authors noted that the Lätäs 1 mineral exploration permit expired on 21 June 2025, as the State Party did not renew it before that date. The authors also note that the Ruossakero area reservation permit expired on 16 March 2024, with its one-year after-effect on 16 March 2025, and no mineral exploration permit application has been submitted for the area. The authors note that as the Mining Act allows for new permit applications or reservation areas by companies or the Geological Survey Agency, the areas in question do not enjoy protected status against new projects.

110. The authors note that the State Party, in its observations, refers to domestic court decisions as precedents, even if exactly those decisions were found by the Committee to constitute violations of the rights of the Indigenous Sami people. The authors claim that as human rights treaties form part of the State Party's law under section 22 of the Constitution of Finland, court rulings found to violate such treaties cannot serve as precedents; the State Party must amend the Mining Act to comply with its international obligations. However, the State Party has not initiated a process for amending the Mining Act to prevent similar human rights violations in the future.

111. The authors note that the State Party fails to demonstrate adequate commitment to conducting environmental, social and cultural impact assessments under the Mining Act or to amending the Mining Act to secure compliance with the principle of free, prior and informed consent. The amendments of the Sami Parliament Act do not amount to appropriate implementation of the Committee's Views and do not fully reflect the United Nations Declaration on the Rights of Indigenous Peoples and the requirements of the principle of free, prior and informed consent. The references by the State Party to the consultative status of the Sami Parliament in respect of public authorities do not amount to full respect of the Indigenous Sami people's right to self-determination, right to enjoy their own culture, and land rights.

112. The authors note that the State Party disregards the requirement of an effective remedy for the violations of the authors' rights. The authors recall that Indigenous Peoples' individual and collective rights, including in respect of their culture and self-determination, require control over their natural resources. The authors claim that without the recognition of Sámi land rights, and adequate adaptation of the Mining Act to that recognition, mineral prospecting, exploration or exploitation in the Sami homeland will most likely be a source of new human rights violations in the future. This is particularly pertinent in the age of the threat posed by climate change to the culture and way of life of the Sami and the risk that the authorities of the State Party will resort to such measures of a "green transition" that will further aggravate the adverse effects of climate change upon the life of the Sami and their

own capacity to adapt, in an environmentally sustainable manner, their culture to the circumstances of climate change and to transmit it to new generations.

**5. Committee's decision**

113. The Committee notes that both projects expired in January 2022, without new harms to the authors as to their right to enjoy and transmit their own culture on their traditional reindeer herding lands. However, the Committee notes that the State Party has not provided compensation to the authors.

114. With regard to its general recommendations, the Committee considers that some initial action has been taken with the reform of the Sami Parliament Act but that further action to implement them in full and additional information on the measures taken are still needed. In the light of all the above, the Committee decides to close the follow-up dialogue with regard to the individual measures of reparation with an A (compliance) assessment. With regard to the general measures of reparation, the Committee decides to close the follow-up procedure for the present communication and invites the State Party to provide specific and complete information on the measures taken in relation to those recommendations in its next report submitted under article 44 of the Convention.

---