

any change despite the economic growth recorded over the last four years, but the Committee noted the government's assertion that it will continue its efforts to alleviate the damage which the policy has caused, or may cause, to the most vulnerable sectors of society.

The principal subjects of concern identified included: the government's assertion that the Covenant is not directly applicable, noting the Committee's General Comment 3 (1990) that certain provisions of the Covenant are potentially able to be directly applied both in law and in policy; continuing discrimination against women at work, indicating that the principle of equality established by the law is not effectively enforced; evidence of racial discrimination in labour matters, contributing to some extent to unemployment among immigrants; discrimination in the labour market against persons 55 to 65 years of age; and the permissive nature of labour legislation with regard to overtime, possibly giving rise to a decline in the creation of further jobs.

The Committee also expressed concern over: the fact that the reform of the social security system may have certain adverse consequences for the most underprivileged sectors of society; the failure to analyse statistical data on violence against women and child abuse and to use that data to formulate measures to address these problems; the fact that the lack of information on child prostitution has prevented both the government and the Committee from appreciating the extent of this problem; the living conditions of asylum seekers in some reception centres in the country; and the consequences of the Tuition Fees Act which has led to a constant increase in the cost of education. Noting that Aruba and the Netherlands Antilles are equal parts of the Kingdom of the Netherlands and the government contributes 1.5 per cent of GNP every year to the islands, the Committee also expressed concern at the statement by the government that it is not responsible for the implementation of economic, social and cultural rights in Aruba and the Netherlands Antilles.

The Committee recommended that the government:

- ♦ reassess the extent to which the provisions of the Covenant might be given direct applicability within the Kingdom;
- ♦ intensify its efforts to guarantee men and women equal access to employment and equal wages for work of equal value;
- ♦ continue its endeavours to eliminate racial discrimination in the labour market with a view to facilitating the integration of immigrants and their families into the national life;
- ♦ adopt measures to promote access to the labour market for persons between the ages of 55 and 65;
- ♦ ensure that the reduction of budgetary allocations for social welfare programmes does not adversely affect the most vulnerable groups, and address this issue in detail in its next periodic report;

- ♦ adopt more clearly targeted policies to protect the welfare of the family, noting that the Ministry of Justice is analysing the results of studies on violence against women and on child abuse with a view to formulating new policies and implementing measures to combat these problems;
- ♦ provide, in its next periodic report, an update on policies and measures to combat violence against women and child abuse;
- ♦ take appropriate steps to alleviate or eliminate the adverse effects of the Tuition Fees Act; and
- ♦ ensure that it complies fully with its obligations under the Covenant as they apply to Aruba and the Netherlands Antilles.

The Netherlands Antilles

The second periodic report on the Netherlands Antilles (E/1990/C/Add.12) covers the period from the beginning of 1989 to mid-1995. The report prepared by the government was considered by the Committee at its May 1998 session and contains information on, *inter alia*: statistical data related to the unemployment rate and the labour force; occupational and vocational training; rehabilitation for persons with disabilities; non-discrimination in employment; statistical data related to remuneration, wages and average incomes; trade unions and the right to collective action; social security and the welfare policy; medical services, insurance, and pensions; regulations related to youth employment; income and housing; development of infrastructures on the islands; freedom of education and the Law on Compulsory Education; critical problems in the area of education; and cultural policies, including the mandate and functions of the Department and Education and Culture (OKSNA) which is the cultural cooperation consultative body of the Netherlands Antilles.

The Committee's concluding observations and comments (E/C.12/1/Add.25, Section III) noted that the Netherlands Antilles has achieved a generally satisfactory level of compliance with its obligations in respect of the protection of the rights set out in the Covenant. As well, the Committee noted that, by law, primary education is compulsory in all the islands of the Netherlands Antilles.

With regard to the factors hindering implementation of the Covenant, the dispersal of the population over a large geographical area was noted as adding another dimension to the challenge of ensuring an effective system for the implementation and promotion of economic, social and cultural rights.

The principal subjects of concern identified by the Committee included: that none of the provisions of the Covenant may be directly invoked in the courts; the inequalities between women and men, particularly with respect to equal access to employment and equal wages for work of equal value; provisions that permit practices in matters of inheritance not to be governed by the principle of equity so as to benefit all those who have a legal