

Universal Periodic Review
(18th session, January – February 2014)

Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III F, J, K, and P)

Comoros

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

| <i>Title</i> | <i>Date of ratification, accession or succession</i> | <i>Declarations /reservations</i> | <i>Recognition of specific competences of treaty bodies</i> | <i>Reference to the rights within UNESCO's fields of competence</i> |
|--|--|---|---|---|
| Convention against Discrimination in Education (1960) | Not state party to this Convention | <i>Reservations to this Convention shall not be permitted</i> | | Right to education |
| Convention on Technical and Vocational Education. (1989) | Not state party to this Convention | | | Right to education |
| Convention concerning the Protection of the World Cultural and Natural Heritage (1972) | Ratified 27/09/2000 | | | Right to take part in cultural life |
| Convention for the Safeguarding of the Intangible Cultural Heritage (2003) | Not state party to this Convention | | | Right to take part in cultural life |
| Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) | Not state party to this Convention | | | Right to take part in cultural life |

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Cadre normative:

2. Cadre constitutionnel : Dans le préambule de la Constitution de l'Union des Comores du 23 décembre 2001¹, telle que révisée par le référendum du 17 mai 2009², « le peuple comorien, affirme solennellement sa volonté de : [...] marquer son attachement aux principes et droits fondamentaux tels qu'ils sont définis par la Charte des Nations Unies, celle de l'Organisation de l'Unité Africaine, le Pacte de la Ligue des Etats Arabes, la Déclaration Universelle des Droits de l'Homme des Nations Unies et la Charte africaine des Droits de l'Homme et des Peuples, ainsi que les conventions internationales notamment celles relatives aux droits de l'enfant et de la femme. Proclame : [...]

- l'égalité de tous en droits et en devoirs sans distinction de sexe, d'origine, de race, de religion ou de croyance, [...]
- le droit à la santé et à l'éducation pour tous».

3. Cadre juridique³: En Union des Comores l'éducation est régie et réglementée par la **Loi d'orientation n° 94/035/AF du 20 décembre 1994**, promulguée par le **décret n° 95-012/PR du 20 janvier 1995**. La loi établit à l'**Article 1** que « tout enfant a droit à une formation scolaire qui, complétée par la formation qu'il reçoit dans sa famille, doit lui permettre d'acquérir des instruments fondamentaux de la connaissance et d'apprendre à penser par lui-même. Les compétences construites à l'école doivent lui faciliter son entrée dans le monde du travail et le préparer à l'exercice de ses responsabilités futures d'homme et de citoyen ».

L'administration centrale du ministère de l'éducation nationale est organisée par le **décret n° 97/105/PR du 12 mai 1997** portant sur la réorganisation de la structure du Ministère.

L'enseignement privé est régi par le **décret n° 93-035/PR du 19 mars 1996** et l'**arrêté n° 96-103 bis/MEN du 21 mars 1996**.

4. L'enseignement obligatoire et la fréquentation scolaire: L'**Article 2** de la loi d'orientation précitée prévoit par ailleurs que « la formation scolaire est obligatoire entre six et douze ans. Toutefois, l'élève a la possibilité de redoubler deux années sa scolarité à l'école élémentaire. En outre, nul enfant ne pourra être exclu de l'école avant l'âge de quatorze ans. »

5. Les enseignants: Les enseignants ont fait grève en mai 2011 pour réclamer des salaires, sur la base d'une nouvelle grille indiciaire.⁴

¹ http://www.beit-salam.km/article.php?id_article=34

² Décret n° 09-066.PR du 23 mai 2009, <http://ddata.over-blog.com/xxxyyy/1/35/48/78/Comores/Promulgation-loi-referendaire.doc>

³ Bureau international de l'éducation, Données mondiales de l'éducation, septième édition, 2010-2011, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Comoros.pdf

⁴ Agences de presse, 16/05/2011

Mesures politiques:

6. Mesures politiques majeures: Le Plan National de l'Education pour tous adopté en 2005 fixe les objectifs suivants :

- a) Conduire le taux d'alphabétisation de la population âgée de 15 ans et plus à au moins 73% en 2009 et à 90% en 2015;
- b) Promouvoir une éducation fonctionnelle des jeunes et des adultes, femmes et hommes, non scolarisés et déscolarisés, pour leur permettre de savoir lire, écrire et compter, de maîtriser les compétences de base de la vie courante et d'avoir des capacités de raisonnement et de résolution des problèmes liés à des situations concrètes, en vue de leur formation professionnelle et de leur insertion dans la vie active ;
- c) Promouvoir des programmes d'éducation permanente en assurant à au moins 60% de la population active les acquisitions nécessaires pour améliorer ses aptitudes tout au long de la vie.

7. Pour ce faire le même document prévoit de :

- a) Créer et mettre en place, aux niveaux central et décentralisé, des structures chargées de l'éducation des jeunes et des adultes en situation d'analphabétisme ;
- b) Promouvoir des programmes et des projets d'éducation de base et d'alphabétisation fonctionnelle au bénéfice des jeunes et des adultes non alphabétisés ;
- a) Créer des centres d'alphabétisation fonctionnelle pour répondre aux besoins d'éducation et de formation des jeunes et des adultes non alphabétisés.

8. Les résultats attendus sont les suivants :

- i) Organisation de campagnes de sensibilisation et de conscientisation sur l'importance et les enjeux de l'alphabétisation dans le développement social et économique du pays ;
- ii) Développement de programmes d'alphabétisation fonctionnels ;
- iii) Élaboration de manuels pour les apprenants et de guides pédagogiques pour les formateurs en alphabétisation ;
- iv) Formation des formateurs en alphabétisation sur l'utilisation des outils pédagogiques ;
- v) Création de centres d'alphabétisation ;
- vi) Renforcement des capacités des structures chargées de l'alphabétisation.⁵

9. Ce cadre stratégique à long terme a été suivi par son outil d'opérationnalisation notamment le Plan Directeur de l'Education et de la Formation pour la période 2005-2009. Du 13 au 16 juillet 2010, le Ministère de l'Education Nationale en partenariat avec l'UNICEF a organisé un atelier consacré à la validation du Plan Directeur de l'Education 2010-2015. Ce Plan Directeur constitue le document de stratégie et de politique générale pour le développement du secteur éducatif comorien à l'horizon 2015. Il est l'aboutissement d'un processus initié en 2008 dans le

⁵ Rapport national dans le cadre de la conférence internationale sur l'éducation des adultes (CONFINTEA VI), 2008, http://www.unesco.org/fileadmin/MULTIMEDIA/INSTITUTES/UII/confintea/pdf/National_Reports/Africa/Africa/Comores.pdf

cadre de l'élaboration du nouveau plan directeur. Sur la base des orientations stratégiques du Plan Directeur de l'Education 2005-2009, les Comores ont engagé le processus d'élaboration du troisième Plan directeur pour la période 2010/2015 avec l'appui financier du Système des Nations Unies, en vue d'atteindre les objectifs de l'Education Pour Tous (EPT) et des Objectifs du Millénaire pour le Développement à l'horizon 2015. C'est une occasion de présenter le système éducatif comorien.⁶ Le financement détaillé des programmes est de 4,12 milliards de francs pour le développement de l'accès équitable à l'éducation, 2,38 milliards destinés au volet renforcement de la qualité des enseignements et de l'apprentissage et près de 11,9 milliards pour la promotion de l'alphabétisation et des activités sportives et culturelles.⁷

10. Coopération: Comoros is not party to 1960 UNESCO Convention against Discrimination in Education. It did not report on the implementation of the Recommendation against Discrimination in Education within the framework of the:

- Sixth Consultation of Member States (covering the period 1994-1999)
- Seventh Consultation of Member States (covering the period 2000-2005)
- Eight Consultation of Member States (covering the period 2006-2011)

11. Comoros did not report within the framework of the Fourth Consultation of Member States on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008). It has not yet reported within the framework of the Fifth Consultation of Member States on the measures taken for the implementation of the 1974 UNESCO Recommendation (2013).

12. Comoros reported within the framework of the Second Consultation (2011) on the measures taken for the implementation of the 1976 Recommendation on the Development of Adult Education. However, it did not report for the First Consultation (1993).

13. Comoros is not party to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

⁶ Comores-web, *Le système éducatif comorien*, 18 juillet 2010, <http://www.comores-web.com/article/le-systeme-educatif-comorien-2.html>

⁷ Al-Warwan, *Plan directeur de l'éducation 2010-2015, Plus de 34 milliards de francs pour différents volets de l'enseignement*, 14 juillet 2010, <http://www.alwatwan.net/pdf/14072010.pdf> ; Pour plus d'informations sur le système éducatif aux Comores, voir aussi le portail du site officiel : http://www.beit-salam.km/article.php3?id_article=36

14. Constitutional and Legislative Framework: The Constitution of the Comoros guarantees “freedom of expression and of assembly, freedom of association and to organize trade unions with respect of the laws of the Republic;” in its preamble.

15. No freedom of information law exists in the Comoros.

16. Defamation remains criminalized in the Comoros under Section 8 of the Penal Code: according to Article 361, those committing libel face 6 months to 5 years imprisonment and a 30 000 to 200 000 francs fine.

17. Media Self-Regulation: Media self-regulatory mechanisms are nonexistent in the Comoros.

18. Safety of Journalists: UNESCO recorded no killings of journalists and media workers in the Comoros between 2008 and 2012.

Right to development and environmental issues⁸

19. The country is under a growing population pressure compared to its limited resources. The negative impact on environment is produced by marked dependence on wood fuels (massive deforestation, erosion, etc.). The high population growth combined with deforestation and subsistence farming leads to overexploitation of soil, its impoverishment and erosion. The major consequences of this degradation amplify rural poverty, increasing the flow of migration from rural to urban areas and developing food insecurity. The forest clearing and subsequent erosion of soil are also a threat to the country's water resources. Economic activity remains confined to trade in imported products and the operation of some agricultural cash crops (species of fragrant and spice plants, beverage production). Tourism is still low compared to neighboring countries due to the deficient hotel infrastructure and the lack of a coherent tourism or ecotourism policy. The environmental problems are numerous and complex: they have to do with both traditional exploitation of natural resources (forests and marine and coastal resources) and problems related to overpopulation in the towns and settlements (insalubrity, household refuse, and multiple pollution risks).

20. Among weaknesses and constraints in the water supply sector are: the high costs of projects that require imported materials and accessories; the lack of technicians trained in managements of relay backflow; lack of coordination and communication among the different parties involved in promoting and developing the sector; the lack of human resources for managing this product at the community level; insufficient hydrological infrastructure; untreated and poor quality water; insufficient water due to the population explosion on the one hand and, on the other, the dilapidated state of the networks; and major leakage from existing networks.

⁸ http://planipolis.iiep.unesco.org/upload/Comoros/Comores_UNDAF_2008-2012.pdf.

21. The diagnostic assessment of the environment in the Comoros reveals rich and varied biological diversity including a large number of endemics. The island is part of the Indian Oceans biodiversity hotspot. It also reveals that in many cases habitats and the species associated with them have deteriorated or are in the process of being degraded due to the combined impact of natural (erosion) and man-made behaviour (pollution of the coastline, destructive fishing techniques, poaching, encroachment of agriculture on what is left of the forests).

22. The Comorian environment is considered a crucial and highly sensitive domain in which priority attention needs to be paid to actions designed to protect, conserve, and manage the natural heritage. The insular nature and volcanic origins of the country make it a potentially very interesting site from the point of view of the diversity of flora and fauna and its varied landscapes are a potential tourist attraction. However, a large number of endemic and specifically Comorian species are in danger of extinction unless certain protective measures are taken quickly.

23. The Comoros has great potential, which, if it is exploited, could help reduce poverty. However, that potential is fragile because it is threatened by the negative impact of the ways in which the environment is being treated and used.

24. Performance and Strengths of the Environment Subsector:

- Drawing up and implementation of an environmental change adaptation plan;
- Development of a national biosafety framework with a view to accession by the Comoros to the Cartagena Protocol;
- Drawing up of a programme for combatting land degradation;
- Formulation and approval of requests for financing for activities conducive to execution of the strategy and plan of action for the conservation of biodiversity, the project to evaluate national global environment management capacities, and the project on persistent organic pollutants (POPs);
- Posting on the Internet of the Union of the Comoros information exchange center in the framework of the Convention of Biological Diversity;
- Preparation of a project paper on strengthening the capacity of Ulanga associations so that they can take over management of natural resources;
- Testing of the action plan for conservation of Livingstone's flying fox (*Pteropus livigstonii*), one of only two bat species found on the island;
- Start of procedures for classifying the island of Mwali as a biosphere reserve;
- Existence of sites of great interest to tourists and ecotourists;
- The presence of endemic (vegetable and animal) species;
- Presence of species that are threatened with global extinction (dugong, turtles, whales);
- Existence of traditional structures that protect the environment;
- Associations focused on environmental protection issues (Ulanga); and
- The absence of polluting industries.

25. Weaknesses and Constraints in the Environment Subsector:

- Lack of an appropriate and effectively enforced legal and regulatory framework;
- Insufficient human resources, quantitatively and qualitatively;
- High mobility among senior staff of the institution in charge of the environment;
- Low level of capacity of local NGOs;
- Virtual undermining by communities of the public domain;

- Land ownership issues;
- Major man-made pressure on natural resources due to the difficult economic and social context, rapid growth of the population, the high failure rate at schools; and ill-adapted cultural practices. This pressure is reflected in:
 - a) Rapid deforestation owing to the increasing energy need of households, processing industries, and the construction sector;
 - b) Over-exploitation of the coastline, especially sea sand, corals, and coastal fish resources;
 - c) The drying up of water sources; and
 - d) An insalubrious habitat.

Cultural rights

26. Normative Framework: constitutional and legislative frameworks: The Comoros Constitution was voted on 23 December 2001 and amended in May 2009. It does not provide any articles regarding the culture sector. Law no 94-022/AF for the protection of national cultural heritage' is the only national law pertaining to culture and heritage.

27. Institutional framework: The Ministry of Education, Research, Culture and Arts is responsible for the adoption and implementation of the culture policy through its Department of Culture. This department is in charge of the implementation of culture conventions and, despite its limited capacity, seeks to raise awareness of the importance of the ratification of these instruments. It works closely with the UNESCO National Commission and three commissariats based in each island (Anjouan, Moheli and Grande Comore). They are mandated for education, vocational training and technical education, culture including crafts and Islamic affairs.

28. Policy measures: In 2008, a national policy for culture was developed that covers many domains including safeguarding and protection of the cultural heritage in all its forms. The limited operational capacity of the department in charge of its implementation is a result of a shortage of funds, human resources and technical capacities.

29. Work with civil society: Comorian civic associations range from the traditional associations linked to customary religious and cultural festivities to associations related to the twarab music, dance, school or sportive association, and more recent associations organized by neighbourhood. They all play an important role in the protection and promotion of culture and heritage, and the passing on of traditional knowledge and skills. In addition, some associations, such as the Centre for Reading and Cultural Animation (CLAC), promoted by the Organisation Internationale de la Francophonie and the Alliance Française, also play an active role in the promotion of culture and heritage. The Collectif du Patrimoine Comorien (CPC) founded in 2006 by the Comorian diaspora in France, invests in the restoration of valuable historical buildings. It has formed local, independent civic groups advocating for the conservation in their towns, and engaging in fundraising and conservation projects. However, due to a lack of professional resources, its success is limited and some urban heritage has been damaged.

III. RECOMMENDATIONS

Right to education

30. Comoros should be encouraged to ratify the 1960 UNESCO Convention against Discrimination in Education.

31. Comoros should be encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments, especially for the Convention against Discrimination in Education.

32. Comoros could be encouraged to intensify its efforts to guarantee access to education at all levels and to prevent any form of discrimination.

33. Comoros could be encouraged to include Human Rights Education in the curricula.

34. Comoros could be encouraged to focus its efforts towards the access to and permanence in education by vulnerable groups of the population and especially girls and women.

Freedom of opinion and expression

35. Comoros is encouraged to pass a Freedom of Information Law in accordance with international standards.

36. Comoros is encouraged to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.

37. UNESCO recommends the development of self-regulatory mechanisms for the media.

Right to development and environmental issues

38. With regard to contribution of science and technology to development, Comoros is encouraged to report to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.

Cultural rights

39. In general, as far as cultural rights in Comoros are concerned, institutional capacities, human and financial resources in the entire culture sector are limited. Comoros should reinforce

the culture sector in terms of infrastructures, human and financial resources and set up a team of experts from the Government, private sector, civil society and relevant cultural NGOs to reinforce the Department of Culture.

40. Regarding the 1972 Convention, Comoros has no site inscribed on the World Heritage List although it has established a tentative list of four sites: i) Marine ecosystems of Comoros Archipelago, ii) Land ecosystems of Comoros Archipelago, iii) Historical Sultanates and iv) *Paysages à parfums des îles de la lune*. Comoros is encouraged to finalize the file for nomination of the ‘Sultanats des Comores’ and submit it for nomination.

41. The 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions were ratified by Comoros in 2012. Comoros is therefore encouraged to submit to UNESCO’s Director-General their respective instruments of ratification, become State Party and adopt measures aiming at safeguarding intangible cultural heritage as well as protecting and promoting the diversity of cultural expression