



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2004/NGO/185
10 March 2004

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Item 10 of the provisional agenda

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**Written statement* submitted by Pax Christi International, International Catholic Peace
Movement, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Informal Economy

Over the years the indivisibility and interdependence of civil and political rights and economic, social and cultural rights have been regularly affirmed and reaffirmed, as in the 1948 Declaration of Human Rights, General Assembly resolution 32/130 (16 December 1977) and more recently at the 1993 World Conference on Human Rights. This indivisibility and interdependence lay the foundation for the universality of human rights. Yet despite these affirmations, economic, social and cultural rights have often received considerably less attention than civil and political rights.

As a peace organisation, Pax Christi International is aware of the devastating effect that persistent violations of economic, social and cultural rights can have on people all over the world who struggle for social justice and peace.

Optional Protocol

These violations, facilitated by a globalised economic system in quest for greater liberalisation and allowing the poorest to be exploited for the benefit of the richest, require an urgent response. A genuine international strategy is now needed for the articulation and the defence of economic, social and cultural rights in order that they may soon be placed on an equal footing with civil and political rights for a more hopeful future.

There is also a vital and urgent need to adopt the Optional Protocol to the International Convention on Economic, Social and Cultural Rights so as to provide a proper legal mechanism for introducing individual complaints of violations of such rights and thus to progress towards the genuine universality and indivisibility of all human rights. In this regard, we welcome the establishment of an open-ended working group charged with elaborating various options for this protocol.

The informal economy and economic, social and cultural rights

We wish to draw particular attention to the situation of the hundreds of millions of people working in the informal economy, mainly due to policies imposed by a neo-liberal economic system in pursuit of greater flexibility. These people are forced to accept casual employment relationships, have no social security, work for low wages and are sporadically paid and work excessively long hours in unhealthy conditions. They are deprived of freedom of speech and of association, they are subjected to police harassment, physical and sexual violence and mental cruelty, and they are often victims of trafficking and slavery. Terrible violations such as these are the lot of men and women -- street vendors, domestic workers and the two million or more children who are trafficked and exploited -- who work in free trade zones all over the world. Violations of fundamental human rights are committed with near total impunity in the nebulous confines of this informal economy. This matter should therefore be considered of utmost importance in the struggle for human rights.

A great many of the rights cited in the International Covenant on Economic, Social and Political Rights are systematically violated in the informal economy, where little regulation or protection is assured by the State.

These rights include the **equal right of men and women** to the enjoyment of all economic, social and cultural rights (Article 3); **the right to work**, including the right of everyone to the opportunity to earn a living by work which is freely chosen or accepted (Article 6); **the right to just and favourable conditions of work**, which ensure (a) remuneration which provides all workers as a minimum fair wages and equal remuneration for work of equal value and with a decent living for themselves and their families; as well as (b) safe and healthy working conditions; (c) equal opportunity to be promoted in one's employment to an appropriate higher level; and (d) rest, leisure and reasonable limitation of working hours and periodic holidays with pay; **the right to form trade unions and to join the trade union of one's choice** (Article 8); **the right to social security** (Article 9); **the right to maternity leave**; the protection of children and young persons from economic and social exploitation and **the prohibition of child labour** (Article 10); **the right to an adequate standard of living** (Article 11) and the **right to education** (Article 13).

In 2002 the ILO took the informal economy as the subject of its 90th International Labour Conference and concluded that workers in the informal economy had to be protected and their rights promoted. Since then, international organisations have shown little interest in this phenomenon, which is such a crucial element in the fight against poverty and for peace, human rights and human dignity.

The World Bank, which in the eighties and nineties extolled the virtues of the informal economy as a way of reducing poverty and micro-loans as a stimulus for growth, now needs to renew its commitment to these initiatives. Poverty reduction strategies, such as country PRSP, must not be based on old destructive structural adjustment policies.

Pax Christi International being aware that persistent violations of economic, social and cultural rights can lead to great social insecurity and threats to peace, urge the Commission on Human Rights to:

1. Conduct careful research into the impact of current economic policies on people working in the informal economy worldwide;
2. Strengthen its efforts to promote economic, social and cultural rights within the work of the Commission and in its relations throughout the international community;
3. Renew the mandate for an open-ended working group for the elaboration of an Optional Protocol to the International Convention on Economic, Social and Cultural Rights as normative standards of human rights;
4. Develop clear strategies for extending the benefits of these fundamental rights to all people.
