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Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria, Belgium*, Bolivia (Plurinational State of)*, Bosnia and Herzegovina*, Costa Rica, Croatia*, Cuba*, Cyprus*, Denmark*, Ecuador, Egypt*, Estonia, Finland*, France*, Germany, Greece*, Honduras*, Ireland, Luxembourg*, Mexico*, Montenegro, Mozambique*, Netherlands*, Panama*, Peru, Portugal*, Romania, Senegal*, Slovakia*, Slovenia*, South Africa*, Spain, State of Palestine*, Sweden*, Switzerland, Timor-Leste*, Uruguay*, Venezuela (Bolivarian Republic of): draft resolution

22/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

Recognizing that the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013 will be a step forward in strengthening the promotion and protection of economic, social and cultural rights worldwide, and noting with interest the fact that 42 States have signed the Optional Protocol and 10 have ratified it since it was opened for signature on 24 September 2009,

* Non-Member State of the Human Rights Council.

1. *Calls upon* all States to take all measures to implement Human Rights Council resolution 19/5 of 22 March 2012 with a view to improving the realization of economic, social and cultural rights;
2. *Also calls upon* all States that have not yet signed and ratified the International Covenant on Economic, Social and Cultural Rights to consider doing so, and calls upon States parties to consider reviewing their reservations thereto;
3. *Welcomes* the upcoming entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013 following its ratification by 10 States, and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so and to consider making declarations under articles 10 and 11;
4. *Acknowledges* the adoption of the provisional rules of procedure under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted by the Committee at its forty-ninth session;
5. *Emphasizes* the importance of access to justice for all in the context of the realization of economic, social and cultural rights and, in this regard, encourages the strengthening and improvement of the administration of justice and public awareness of economic, social and cultural rights;
6. *Underlines* that realizing women's economic, social and cultural rights calls for an integrated approach that draws on the various human rights instruments addressing the issue;
7. *Also underlines* that States parties should pay particular attention to the mutual reinforcement of the rights and obligations contained in the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women;
8. *Encourages* States parties to make maximum use of the framework of the International Covenant on Economic, Social and Cultural Rights to pursue further substantive gender equality by using the provisions of article 3, which requires States parties to undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights, in conjunction with the substantive rights enshrined in part III of the Covenant, and also encourages them to take measures in this regard to implement the principle of non-discrimination;
9. *Underlines* the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizes that the rights enunciated in the Covenant are to be realized in a non-discriminatory manner;
10. *Reiterates* that respect for and the promotion and protection of human rights are an integral part of effective work towards achieving the internationally agreed development goals, including the Millennium Development Goals, and emphasizes the central role of the United Nations in enhancing global partnerships for development with a view to creating a supportive global environment for the attainment of the Millennium Development Goals;
11. *Recalls* Human Rights Council resolution 21/11 of 27 September 2012, in which the Council adopted the guiding principles on extreme poverty and human rights contained in the report of the Special Rapporteur on extreme poverty and human rights as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies;

12. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments and the consideration of periodic reports;

13. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

14. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies or programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights, in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

15. *Recognizes and encourages* the important contributions of national human rights institutions and non-governmental organizations to the question of the realization and enjoyment of economic, social and cultural rights;

16. *Expresses its appreciation* for the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise and its publications and studies on related issues;

17. *Takes note with interest* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights¹ and the recommendations therein, submitted pursuant to Human Rights Council resolution 19/5;

18. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on access to justice relating to violations of economic, social and cultural rights;

19. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.

¹ A/HRC/22/24.