



Economic and Social Council

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Committee on Economic, Social and Cultural Rights Fiftieth session

Summary record (partial)* of the 1st meeting

Held at the Palais Wilson, Geneva, on Monday, 29 April 2013, at 10 a.m.

Temporary Chairperson: Mr. Salama (Representative of the Secretary-General)

Chairperson: Mr. Kedzia

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Temporary Chairperson** (Director, Human Rights Treaties Division), on behalf of the Secretary-General, declared open the fiftieth session of the Committee on Economic, Social and Cultural Rights and welcomed Ms. Bras Gomes, Mr. Mancisidor and Ms. Ravenberg as new members of the Committee.

2. The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights had received its tenth ratification on 5 February 2013 and would enter into force on 5 May 2013, enabling victims to seek justice for violations of economic, social and cultural rights at the international level. That milestone for the international human rights system would eventually lead to an increase in the Committee's workload. Also, changes in the Committee's working methods and the increase in meeting time granted by the General Assembly would effectively double the Committee's annual workload in the shorter term. While those developments should be welcomed, no additional funding had been granted for the purpose, which placed considerable strains on the secretariat.

3. During the discussions under way on the post-2015 development agenda, numerous groups had explicitly called for human rights principles to be included as a central part of that agenda. Unfortunately, the unfinished agenda of the International Conference on Population and Development (ICPD) Programme of Action was largely related to human rights and accountability deficits. With that in mind, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Population Fund (UNFPA) and the Government of the Netherlands were organizing a thematic conference on human rights to provide input for the ICPD Beyond 2014 Review, identifying gaps and challenges as well as emerging issues and priorities for the future.

4. The co-facilitators of the intergovernmental process on the strengthening of the treaty body system had expressed their intention to conclude the process by May 2013. Several treaty body experts had participated in the consultations in New York and Geneva at their own expense. The co-facilitators had emphasized that any savings made in the final outcome would be reinvested in the treaty body system and capacity-building. A general understanding was emerging that addressing the challenges of the treaty body system was not a cost-reduction or cost-neutral exercise, and that additional regular budget resources would be needed. The Russian Federation had submitted a draft Code of Conduct on behalf of a cross-regional group of countries, while Egypt had submitted, on behalf of the African Group, a "nimble calendar" proposal as an alternative to the comprehensive reporting calendar. OHCHR and the United Nations Office at Geneva had provided a cost estimate for eliminating the backlog of reports and individual communications and an overview of the cost of the treaty body system as a whole.

5. It was expected that US\$ 4.5 million of the budget cuts for the 2014–2015 biennium would be drawn from the OHCHR regular budget. While there were currently no plans to cut staff from the Committee's secretariat, the treaty bodies would be asked to further streamline their working methods and practices. His Division was pleased that 45 out of 172 experts had responded to the December 2013 survey on the support provided by the secretariat, and that 83.7 per cent of respondents had rated the support either satisfactory or very satisfactory. He expressed his appreciation for the work of the outgoing Bureau.

Solemn declaration by new members of the Committee

6. *Ms. Bras Gomes, Mr. Mancisidor and Ms. Ravenberg made the solemn declaration provided for in rule 13 of the Committee's rules of procedure.*

Election of the Chairperson and other officers of the Committee

7. **Mr. Abashidze** nominated Mr. Kedzia for the office of Chairperson.
8. **Mr. Marchán Romero, Mr. Schrijver, Mr. Atangana, Ms. Shin, Mr. Sadi and Mr. Dasgupta** seconded the nomination.
9. *Mr. Kedzia was elected Chairperson by acclamation.*
10. *Mr. Kedzia took the Chair.*
11. **The Chairperson** invited nominations for the three offices of Vice-Chairperson.
12. **Mr. Sadi** nominated Mr. Dasgupta.
13. **Mr. Marchán Romero** nominated Mr. Ribeiro Leão.
14. **Mr. Atangana** nominated Mr. Kerdoun.
15. *Mr. Dasgupta, Mr. Ribeiro Leão and Mr. Kerdoun were elected Vice-Chairpersons by acclamation.*
16. **The Chairperson** invited nominations for the office of Rapporteur.
17. **Mr. Schrijver** nominated Ms. Bras Gomes.
18. *Ms. Bras Gomes was elected Rapporteur by acclamation.*

The meeting was suspended at 10.55 a.m. and resumed at 11.05 a.m.

Other matters

19. **The Chairperson** expressed his gratitude to the Committee members for electing him and his appreciation for the work of his predecessors and the continued support of OHCHR. He regretted that the outgoing Chairperson, Mr. Pillay, could not be present and wished him a speedy recovery. He was counting on the continued close cooperation and mutual support of all stakeholders, which enabled the Committee to work effectively to promote human rights. He invited questions and comments on the matters raised by Mr. Salama in his opening statement, and any other issues.
20. **Mr. Schrijver** requested further information about the “nimble calendar” proposed by the African Group and asked what resolutions the General Assembly had adopted in relation to the treaty body strengthening process and what the current political situation was in that regard.
21. **Ms. Shin** asked how the Committee’s additional meeting time could be funded without any further financial allocations.
22. **Mr. Sadi** expressed his concern that the treaty body strengthening process seemed to be focusing on ways of cutting costs rather than truly strengthening the treaty body system.
23. **Mr. Salama** (Director, Human Rights Treaties Division) said that from the beginning OHCHR had been wary of the risk that the treaty body strengthening process could become a mere cost-cutting exercise. That risk was now greatly reduced, however, as many States had spoken out against weakening the treaty body system. Nevertheless, the idea of streamlining measures had been very useful both financially and politically, and many of the cost-cutting measures proposed would have no negative effects on the Committee’s work.
24. The details of the “nimble calendar” proposal remained unclear, but its major benefit was to have led to a reflection on a more sustainable solution. Such a solution would ensure more regularity in the submission and consideration of State party reports, and budgeting would be more carefully planned under a calendar-based system. While at the beginning of

the treaty body strengthening process States had focused on blaming OHCHR and the treaty bodies for poor resource management, evidence-based analysis had conveyed the urgency and seriousness of the problems facing the treaty bodies and had resulted in tangible proposals.

25. The latest General Assembly resolution on the process had requested a comprehensive outcome providing sustainable solutions to the treaty bodies' needs, in contrast to the current ad hoc approach. Many Member States were experiencing financial difficulties, hence the need for cost-saving measures as well as additional resources. From a political standpoint, there had naturally been some hesitation among States about strengthening the monitoring of their compliance with international human rights law, but that situation was not as bad as it could have been. The fact that the independence of the treaty body experts was enshrined in treaty law served as an ultimate legal safety net to protect against any attempt to undermine that independence.

26. **Mr. Walker** (Office of the United Nations High Commissioner for Human Rights) said that the General Assembly and the Economic and Social Council had given the Committee a mandate to perform additional work, provided that it used only existing resources. He assured the Committee that funds could be found within the regular budget to cover the necessary conference services and the Committee members' travel expenses and per diem. Unfortunately, however, there was no funding available to hire more staff, which meant that the members of the secretariat would have to take on extra tasks to ensure that the Committee was supported during its additional meeting time.

27. **The Chairperson** thanked Mr. Salama for the reassurances he had offered and expressed the hope that the future would bring a brighter outlook.

Adoption of the agenda (E/C.12/50/1)

28. *The agenda was adopted.*

The public part of the meeting rose at 11.15 a.m.