

Concept Note

Consultation with National Human Rights Institutions and academia on Economic, Social and Cultural Rights

12-13 November 2024

Danish Institute for Human Rights, Copenhagen, Denmark

Background:

The vision of the United Nations High Commissioner for Human Rights regarding Economic, Social, and Cultural Rights (ESCR) recognizes the interconnectedness and interrelatedness of economic, social and cultural rights with civil and political rights. This is ultimately a key enabler for realising the UN 2030 agenda and its 17 development goals ensuring that no-one is left behind.

Economic, social, and cultural rights hold paramount importance in all countries, regardless of their economic status or level of development. These rights encompass fundamental aspects of human well-being and enabling social cohesion. Upholding ESCR is not only a moral imperative but also essential for fostering inclusive and sustainable societies. By ensuring access to necessities and enabling individuals to participate fully in economic, social and cultural life, countries can unlock their full potential and achieve long-term prosperity, peace and stability.

The COVID-19 pandemic exposed the fragility of the economic, social and environmental systems, and saw millions struggling in terms of access to health care and livelihoods. The effects of climate change have a disproportional impact on people in vulnerable situations, highlighting such rights as the rights to life, water and housing. Further, the rapidly growing economic in-equality has led to a high level of economic insecurity impacting all areas of life for the exposed groups.

The consensus resolution 54/22 adopted by the Human Rights Council in 2023 is a reflection of the need to address several pressing issues at all continents. This includes the rights guaranteed by the International Covenant on Economic, Social and Cultural Rights, such as the right to adequate housing, the right to health, the right to education, the right to social security and issues related to poverty and inequality that undermines the enjoyment of these rights.

Increased focus and resources towards the realization of ESCR will contribute to addressing key human rights challenges in Europe. Amplifying action on economic, social and cultural rights will serve as an accelerator for implementing progress on other human rights. This is in line with OHCHR's vision to reinforce its work on ESCRs at the global normative and policy level, and as part of its operations to support Member States in implementation efforts at the country and regional levels. In the 2024 Vilnius Declaration, member states of the Council of Europe highlighted how ESC provides effective governance inputs in the pursuit of social justice and the protection of social rights. The Declaration also underlined the importance of ESC and its monitoring procedures for the protection of social and economic rights across Europe.

To implement the vision of the High Commissioner, OHCHR aims to engage with Member States, National Human Rights Institutions (NHRIs), Universities, Parliamentarians, local authorities and other stakeholders through a collaborative approach. This entails advocating for the incorporation of ESCR into national legislation and policy frameworks as well as providing technical assistance and capacity-building initiatives to support implementation efforts at all levels. By engaging in dialogue and

cooperation with these stakeholders, OHCHR seeks to create an enabling environment where ESCRs are not just aspirational goals but are understood as legal obligations and rights leading to tangible realities for all individuals. And by creating this enabling environment for ESCR, OHCHR together with partner NHRIs contributes to the global effort to offer a path for solutions to strengthen trust and social cohesion as one of the key elements of a Pact for the Future (Summit of the Future), with ESCR obligations at the centre as guardrails for social development (World Social Summit).

OHCHR is actively seeking to engage NHRIs, parliamentarians, policymakers, universities, CSOs and other stakeholders to comprehensively understand challenges and opportunities for the realization of ESCR at the country level. Through strategic partnerships and collaborative endeavours, OHCHR aims to bridge the gap between rights holders and duty bearers, fostering mutual understanding and facilitating the creation of effective mechanisms for the realization of ESCR. By leveraging collective expertise and resources, OHCHR endeavours to empower individuals and communities to claim their rights while supporting governments in fulfilling their obligations in the realm of ESCR.

NHRI perspective:

Uniquely positioned to promote and protect human rights in our various national contexts, the partner NHRIs support the vision of the High Commissioner and align ourselves with the objectives and rationale of this proposal. As further outlined in the current strategic plans for GANHRI and ENNHRI, we are convinced that an increased sharing of knowledge and experiences and strengthening of partnerships in the field of ESC rights is key to building the capacity needed to address some of the most pervasive and pressing challenges in modern societies, as described above. We particularly welcome the participation of academic institutions, as well as other human rights actors active at the national and local levels within our countries. We endeavour to coordinate this initiative, as relevant, with other joint activities in the field of ESC rights, including the CoE-FRA-ENNHRI-Equinet Economic and Social Rights Platform.

The 2024 consultations:

In line with the vision of the High Commissioner, OHCHR in partnership with the Swedish Institute for Human Rights, Danish Institute for Human Rights, the Raoul Wallenberg Institute, and the German Institute for Human Rights is organizing a consultation focusing on key ESCR challenges in Europe. This includes the right to adequate housing and homelessness, the right to food, health, social security as well as other economic, social and cultural rights and related issues such as the cost-of-living crisis, disproportionate and discriminatory impacts on marginalized and vulnerable groups, accountability and public spending for the realization of ESCR, domestic backsliding and regression from achieved standards. The consultations will also focus on the role of National Human Rights Institutions, Parliaments and CSOs in this regard. The aim of the consultations is identifying good practices and tools that can assist the realization of ESCR at the country level. This will take place through discussions in roundtable format with both duty bearers and rights holders.

Venue: Danish Institute for Human Rights, Copenhagen, Denmark.