E/2017/22
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Committee on Economic, Social and Cultural Rights

Report on the fifty-seventh, fifty-eighth and fifty-ninth sessions

(22 February-4 March 2016, 6-24 June 2016, 19 September-7 October 2016)

Economic and Social Council

Official Records, 2017

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Note

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Chapter I
Organizational and other matters

A. States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol

1. As at 7 October 2016, the closing date of the fifty-ninth session of the Committee, 164 States were parties to the International Covenant on Economic, Social and Cultural Rights. The Covenant was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. It entered into force on 3 January 1976, in accordance with the provisions of its article 27. The Optional Protocol to the Covenant was adopted by the General Assembly in resolution 63/117 on 10 December 2008 and was opened for signature and ratification in New York on 24 September 2009. It entered into force on 5 May 2013, three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification. The following 21 States have ratified the Optional Protocol: Argentina, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Cabo Verde, Costa Rica, Ecuador, El Salvador, Finland, France, Gabon, Italy, Luxembourg, Mongolia, Montenegro, Niger, Portugal, San Marino, Slovakia, Spain and Uruguay.

B. Sessions and agendas

2. In 2016, the Committee held three sessions: its fifty-seventh session from 22 February to 4 March; its fifty-eighth session from 6 to 24 June; and its fifty-ninth session from 19 September to 7 October. All three sessions were held at the United Nations Office at Geneva. The agenda for each session is contained in E/C.12/57/1, E/C.12/58/1 and E/C.12/59/1, respectively.

3. An account of the deliberations of the Committee at its fifty-seventh, fifty-eighth and fifty-ninth sessions is contained in the relevant summary records (E/C.12/2016/SR.1-6, 10, 20-38, 44, 50-58, 60-66 and 78).

C. Membership and attendance

4. All members of the Committee attended the fifty-seventh, fifty-eighth and fifty-ninth sessions, with the exception of Shiqui Chen who was unable to attend the fifty-seventh session. Three outgoing members were thanked for their dedication and work with the Committee: Sergei Martynov, Ariranga Govindasamy Pillay and Nicolaas Jan Schrijver.

5. Specialized agencies and United Nations organs and departments submitted information and observed the dialogues held during the fifty-seventh, fifty-eighth and fifty-ninth sessions.

6. The following non-governmental organizations (NGOs) in consultative status with the Economic and Social Council were represented by observers:

At the fifty-seventh session:	Human Rights Watch, International Commission of Jurists, Amnesty International, European Law Students Association, IPAS, European Disability Forum, Centre for Equality Rights in Accommodation, Assembly of First Nations, National Indian Brotherhood
Special consultative status or roster:	Canadian Civil Liberties Association, Canadian Feminist Alliance for International Action, Congress of Aboriginal Peoples, International Federation of Women Lawyers - Kenya, Human Dignity Foundation, Indigenous Bar Association in Canada, Kamukunji Paralegal Trust, Metro Toronto Chinese & Southeast Asian Legal Clinic, Pivot Legal Society
At the fifty-eighth session:	Swedish Foundation for Human Rights, Minority Rights Group, Amnesty International
Special consultative status or roster:	Terre des Hommes, Global Initiative to End All Corporal Punishment of Children, International Baby Food Action Network, FIAN, Asociación LGTB Arcoiris, Association for Emancipation, Solidarity and Equality of Women, International Society for Human Rights, Women's International League for Peace and Freedom
At the fifty-ninth session:	Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujer — Dominican Republic, FIAN International, International Commission of Jurists, Centro de Investigación para la Acción Femenina — Dominican Republic, Transparency International
Special consultative status or roster:	Fondation nationale des sciences politiques (FNSP) - Paris, Tamazgha, E-Net Philippines, EuroMed Rights, Asia South Pacific Association for Basic and Adult Education

7. Other national and international NGOs, coalitions of national NGOs and other organizations were represented by observers at the fifty-seventh, fifty-eighth and fifty-ninth sessions, as follows:

(a) Fifty-seventh session: Action Canada for Sexual Health and Rights, Advocacy Centre for Tenants Ontario, Canada without Poverty, Centre for Reproductive Rights, Hakijamii Kenya, Colour of Poverty - Colour of Change, David Suzuki Foundation, East African Centre for Human Rights, Front d'action populaire en réaménagement urbain, Kenya Water and Sanitation Network, Maytree Foundation, Ontario Council of Agencies Serving Immigrants, Right to Housing Coalition, Social Rights Advocacy Centre, Ujamaa Centre Kenya, Working for Change;

(b) Fifty-eighth session: International Platform Against Impunity, Citizen Information and Documentation Centre (Burkina Faso), Foro de Mujeres por la Vida, Coalition "Sexual and Health Rights of Marginalized Communities", Health Education and Research Association, Initiative for Women Living in Shuto Orizari, Just Fair, Confédération générale du travail;

(c) Fifty-ninth session: Congrès Mondial Amazigh, Tamazgha, Transparency International, Defend Job Philippines, International Disability Alliance, Maloca International.

D. Pre-sessional working group

8. The Economic and Social Council, in its resolution 1988/4 of 24 May 1988, authorized the establishment of a pre-sessional working group composed of five members of the Committee, to be appointed by the Chair of the Committee to meet for up to one week prior to each session. By decision 1990/252 of 25 May 1990, the Council authorized the meetings of the working group to be held one to three months prior to a session of the Committee.

9. The Chair of the Committee, in consultation with the members of the Bureau, designated the following individuals as members of the pre-sessional working group:

Fifty-seventh pre-sessional working group:

Aslan **Abashidze**

Olivier **De Schutter** (Chair)

Azzouz **Kerdoun**

Waleed M. **Sadi**

Rodrigo **Uprimny**

Fifty-ninth pre-sessional working group:

Maria-Virginia **Bras Gomes**

Zdzislaw **Kedzia**

Ariranga Govindasamy **Pillay**

Lydia **Ravenberg** (Chair)

Heisoo **Shin**

10. The pre-sessional working group held its meetings at the United Nations Office at Geneva from 7 to 11 March 2016 and from 10 to 14 October 2016. The working group identified additional issues that could be addressed to the reporting States and lists of such questions were transmitted to the permanent missions of the States concerned.

E. Organization of work

11. In accordance with rule 8 of its rules of procedure, the Committee considered the provisional agenda and tentative programme of work for its fifty-seventh, fifty-eighth and fifty-ninth sessions at the first meeting of each session and approved them, as amended, during consideration.

F. Next sessions

12. In accordance with the established schedule, taking into account the additional meeting time allocated pursuant to General Assembly resolution 68/268, the sixtieth, sixty-first and sixty-second sessions will be held at the United Nations Office at Geneva from 20

to 24 February 2017, from 29 May to 23 June 2017 and from 18 September to 6 October 2017.

G. Reports of States parties scheduled for consideration by the Committee at upcoming sessions

13. In accordance with rule 61, paragraph 2, of the rules of procedure of the Committee, the reports submitted by States parties under article 16 of the Covenant are, in principle, scheduled for consideration in the order in which they were received by the Secretary-General. As at 7 October 2016, the closing date of the fifty-ninth session, the Committee had received the following reports, which it decided to consider at its sixty-first and sixty second sessions.

Sixty-first session (29 May-23 June 2017)	
Australia	E/C.12/AUS/5
Liechtenstein	E/C.12/LIE/2-3
Netherlands	E/C.12/NLD/6
Pakistan	E/C.12/PAK/1
Sri Lanka	E/C.12/LKA/5
Uruguay	E/C.12/URY/5

Sixty-second session (18 September- 6 October 2017)	
Colombia	E/C.12/COL/6
Mexico	E/C.12/MEX/5-6
New Zealand	Expected submission: May 2017 under the simplified reporting procedure
Republic of Korea	E/C.12/KOR/4
Russian Federation	E/C.12/RUS/6
Spain	Expected submission: May 2017 under the simplified reporting procedure

Future session	
Yemen	E/C.12/YEM/3

14. The Committee decided to look into the situation of long-overdue reports. At present, 30 States parties have initial reports overdue for submission to the Committee. Of those reports, 23 are more than 10 years overdue: Bangladesh, Cabo Verde, Central African Republic, the Congo, Côte d'Ivoire, Dominica, Eritrea, Equatorial Guinea, Ghana, Grenada, Guinea, Guinea-Bissau, Lesotho, Liberia, Malawi, Mali, Niger, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Somalia, Swaziland and Timor-Leste.

15. As at 7 October 2016, 10 reports had been submitted and were pending consideration by the Committee.

16. Further to the piloting of the simplified reporting procedure, the Committee has decided to schedule the reports to be submitted under this procedure in accordance with the expected submission dates. Thus, two reports noted above have been scheduled in this manner.

Chapter II
Overview of the working methods of the Committee

17. The present chapter is aimed at providing a concise and up-to-date overview and explanation of the way in which the Committee carries out its various functions, including information about recent developments in its working methods. It is also intended to provide information on the impact of measures adopted by the Committee to address the backlog and to make the current practice of the Committee more transparent and readily accessible by States parties and others interested in the implementation of the Covenant.

18. The Committee has been making a concerted effort to devise appropriate working methods that adequately reflect the nature of the tasks with which it has been entrusted. In the course of its 59 sessions it has sought to modify and develop those methods in the light of its experience and to respond to developments regarding the functioning of the treaty body system as a whole. Those methods will continue to evolve taking into account General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, adopted on 9 April 2014.

A. Impact of measures adopted to address the backlog of reports pending consideration

19. Additional meeting time granted to the Committee in 2013 and 2014 and measures adopted by the Committee have resulted in the continued reduction of the backlog, as reported in 2015. In addition, following the adoption of General Assembly resolution 68/268, the Committee now also has additional meeting time for the period 2015-2017 which will allow it to consider up to 20 reports per year. During 2016, the Committee considered 17 State party reports, of which 2 were initial reports.

20. While the Committee has addressed the backlog, it cannot anticipate with certainty the number of reports that will be submitted annually and the backlog that may result therefrom as of 2018. At the time of the adoption of the present report, the Committee had completely resolved the backlog of reports pending consideration. This is, however, also owing to the very low rate of submission of reports by States parties during 2016.

B. General reporting guidelines

21. The Committee attaches great importance to the need to structure the reporting process and the dialogue with the representatives of each State party in such a way as to ensure that the issues of principal concern regarding the implementation of the Covenant are dealt with in a methodical and informative manner. For this purpose, in 2008 the Committee adopted revised reporting guidelines on treaty-specific documents to be

submitted by States parties under articles 16 and 17 of the Covenant,[1] with a view to assisting States parties in the reporting process and improving the effectiveness of the monitoring system as a whole, particularly by emphasizing the need for States parties to report on the impact of the measures taken to respect, protect and fulfil the rights enshrined in the Covenant.

C. Examination of State party reports

1. Work of the pre-sessional working group

22. A pre-sessional working group meets for five days prior to each session of the Committee. It is composed of five members of the Committee nominated by the Chair, taking into account the desirability of a balanced geographical distribution and other relevant factors.

23. The main purpose of the working group is to identify in advance additional questions to assist the Committee in preparing for the dialogue with the representatives of the reporting States. The aim is to improve the efficiency of the system and to ease the task of the representatives of States parties by facilitating more focused preparations for the discussion.[2]

24. With regard to its working methods, the working group, in the interest of efficiency, allocates to each of its members the initial responsibility for undertaking a detailed review of a specific State party report and for putting before the working group a preliminary list of issues. Each draft by a country rapporteur is revised and supplemented on the basis of observations by the other members of the working group and the final version of the list is adopted by the working group as a whole. This procedure applies equally to both initial and periodic reports.

25. In preparation for the meeting of the pre-sessional working group, the Committee has asked the secretariat to place at the disposal of its members all pertinent documents containing information relevant to each of the reports to be examined. For this purpose, the Committee invites all concerned individuals, bodies and NGOs to submit relevant and appropriate documentation to the secretariat.

26. The lists of issues drawn up by the working group are sent to the State party concerned.

2. Consideration of reports

27. In accordance with the established practice of the human rights treaty monitoring bodies, representatives of the reporting States should be present at the meetings of the Committee when their reports are examined, in order to ensure a constructive dialogue. The following procedure is generally observed: the representative of the State party is invited to introduce the report, making brief comments and providing any new information that may be relevant to the dialogue, then the Committee's rapporteur for the particular State party introduces the dialogue, giving a concise appreciation of the report, signalling gaps and advancing a set of initial questions. The Committee then considers the report by clusters of articles (usually articles 1-5, 6-9, 10-12 and 13-15), taking particular account of the replies furnished in response to the list of issues. In accordance with the new practice of appointing

[1] See *Official Records of the Economic and Social Council, 2009, Supplement No. 2* (E/2009/22-E/C.12/2008/3), annex VIII.

[2] Ibid., *1988, Supplement No. 4* (E/1988/14-E/C.12/1988/4), chap. IV, para. 361.

a task force for each State party report, the Committee members responsible for the clusters lead the dialogue. The Chair also invites questions or comments from other members of the Committee, then invites the representatives of the State party to reply to questions that do not require further reflection or information. Any remaining questions are taken up at the subsequent meeting or, if necessary, may be the subject of additional information provided to the Committee in writing within a given time frame. Members of the Committee are free to pursue specific issues in the light of the replies thus provided, but are expected to avoid repeating questions that have already been posed or answered and to refrain from speaking for more than five minutes in any one intervention.

28. The final phase of the examination of the report by the Committee consists of the drafting and adoption of its concluding observations. With the assistance of the secretariat, the country rapporteur prepares a draft set of concluding observations for consideration by the Committee, which is circulated for comments among the members prior to adoption. At a later stage, the Committee discusses the draft, in private session, with a view to adopting it by consensus.

29. The concluding observations, once formally adopted, are forwarded as soon as possible to the State party concerned and made public.

30. At its forty-sixth session in May 2011, the Committee agreed, in principle and on a temporary basis, to devote only two meetings to the consideration of periodic reports, with a view to preventing the backlog of reports pending consideration from growing. Accordingly, at the fifty-seventh, fifty-eighth and fifty-ninth sessions, the Committee considered the periodic reports of Angola, Canada, Costa Rica, Cyprus, the Dominican Republic, France, Honduras, Kenya, Lebanon, the Philippines, Poland, Sweden, the former Yugoslav Republic of Macedonia, Tunisia and the United Kingdom of Great Britain and Northern Ireland, over two meetings only. The consideration of the initial reports of Burkina Faso and Namibia was allocated three meetings.

3. Comments by States parties on the concluding observations

31. Once adopted by the Committee, the concluding observations on the report of a State party and any comments submitted thereon to the Committee by the State party are made public, as submitted, and listed in the Committee's annual report. Comments from States parties are published for information purposes only.

32. During the reporting period, the Committee did not receive any comments from any State party.

4. Postponement of the consideration of reports

33. Last-minute requests by States to postpone the consideration of reports that have been scheduled for examination at a particular session are extremely disruptive for all concerned and have, in the past, caused major problems for the Committee. Accordingly, the long-standing policy of the Committee is not to grant such requests and to proceed with its consideration of all scheduled reports, even in the absence of a representative of the State party concerned.

D. Follow-up procedure in relation to the consideration of reports

34. The follow-up procedure[3] decided on by the Committee at the 53rd meeting of its twenty-first session, held on 1 December 1999, has already been applied in relation to two States parties and the Committee considers the experience to have been very positive in both instances.

35. During its fifty-ninth session, the Committee decided to reconsider its follow-up procedure taking into account the working methods of the other treaty bodies and based on its experience relating to the implementation of its concluding observations. The Committee will continue to discuss the follow-up of its concluding observations at its sixtieth session with a view to adopting a follow-up procedure.

E. Procedure in response to non-reporting States parties and considerably overdue reports

36. Considering that persistent non-reporting by States parties undermines the foundations of the Covenant, at its thirty-sixth session, the Committee adopted a procedure to deal with non-reporting States parties and long-overdue reports.[4]

37. At its fifty-ninth session, the Committee discussed the situation of non-reporting States and long-overdue reports, which it considers a serious issue. The Committee decided to devote one meeting during its sixtieth session to that specific issue, in consultation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the States parties concerned, to the extent possible, in order to assess how best to encourage and support States in fulfilling their reporting obligations under the Covenant.

F. Submission of several reports in one document

38. At the 55th meeting of its thirty-seventh session, held on 22 November 2006, the Committee reviewed the situation of overdue reports, including recent submissions of several long-overdue reports, and decided that it would accept from States parties that had never submitted a report under the Covenant, a one-time submission of up to three reports consolidated in a single document, in order to bring them up to date with their reporting obligations, and that the consolidated report should contain a general overview of important developments relating to the implementation of the Covenant over the entire period covered by the report and present up-to-date detailed information on the present situation.

39. At the 28th meeting of its forty-eighth session, held on 18 May 2012, the Committee reviewed the situation regarding combined reports and decided that the combined reports would be considered as one report. The Committee also decided to specify the due date of the State party's next periodic report at five years following the date on which the Committee adopts its concluding observations, instead of every five years as of the submission of the initial report, irrespective of the date of submission of the last report. This was a temporary measure to take into account the delays caused by the significant backlog of reports pending consideration, which has now been resolved.

[3] See E/2000/22, paras. 38-39.
[4] See E/2007/22, para. 42.

G. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than States parties

1. Information provided in connection with the Committee's consideration of a State party report

40. The Committee takes into account information provided to it by sources other than the State party, in connection with its consideration of a State party report. That information, being an integral part of the constructive dialogue with a State party, is made available by the secretariat to the State party concerned through the OHCHR web page, in advance of the Committee's consideration of the State party's report.

2. Information received following consideration by the Committee of a State party report and adoption of concluding observations

41. On various occasions in the past, the Committee has received information, mainly from NGOs, after consideration of a State party report and adoption of concluding observations thereon. In practice, this has generally been follow-up information on the conclusions and recommendations of the Committee. Not being in a position to consider and act upon such information without reopening its dialogue with a State party, the Committee will consider information received from sources other than a State party only in cases where such information has been specifically requested in its concluding observations.

42. The Committee considers that, following its consideration of a State party report and the adoption of its concluding observations, the primary responsibility for their implementation lies with the State party, which is bound to report to the Committee in its next periodic report on the measures taken in this respect. The Committee therefore recommends that the information referred to in the preceding paragraph be submitted directly to the competent national authorities with a view to assisting them in implementing the concluding observations of the Committee.

3. Information provided with respect to non-reporting States parties

43. The Committee has also received information from international and national NGOs on the status of the implementation of economic, social and cultural rights by:

(a) States parties that have not submitted a report since their ratification of the International Covenant on Economic, Social and Cultural Rights and its entry into force;

(b) States parties with long-overdue periodic reports.

44. In both cases, the failure of States parties to comply with their obligations under the Covenant and, in particular, with their reporting obligations, has made it impossible for the Committee to monitor effectively the implementation by those States of the economic, social and cultural rights set forth in the Covenant, in accordance with the mandate conferred on the Committee by the Economic and Social Council.

45. At its thirtieth session in May 2003, the Committee, in a spirit of open and constructive dialogue with States parties, decided that, in both the cases referred to above, the Committee may, through a letter from the Chair, bring to the attention of the State party concerned the information received and urge the State party to submit its overdue report without further delay and to address therein the issues raised in the submissions of NGOs. That letter would also be made available to the NGOs concerned, upon request.

H. Day of general discussion

46. The Committee may decide to devote one day of a session to a general discussion of a particular right or aspect of the Covenant. The purpose is threefold: such a general discussion assists the Committee in developing in greater depth its shared understanding of the issue under discussion; it enables the Committee to encourage inputs into its work from all interested parties; and it helps the Committee to lay the basis for a future general comment or provide the opportunity to discuss a draft general comment.

47. At its fifty-ninth session, the Committee decided that it would hold a day of general discussion during its sixtieth session on the draft general comment on State obligations under the Covenant in the context of business activities. The day of general discussion is scheduled for Tuesday, 21 February 2017. Practical information relating to participation in the day of general discussion is available on the webpage of the Committee (www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

I. Other consultations

48. The Committee has sought to coordinate its work with that of other bodies to the greatest extent possible and to draw as widely as it can on available expertise in the fields of its competence. The Committee has also sought to draw on the expertise of relevant United Nations specialized agencies and bodies, special procedure mandate holders of the Human Rights Council and Chairs and members of working groups and other bodies of the Council.

49. During its fifty-seventh session, the Committee held an informal meeting with States for the purpose of maintaining an ongoing dialogue with them and to discuss issues of common concern and interest. The Committee introduced its work and referred in particular to General Assembly resolution 68/268 on treaty body strengthening and the use of additional meeting time. It gave an update on the simplified reporting procedure — the transmission of a list of issues prior to reporting — and on late reporting, and provided information on the new capacity-building programme emanating from resolution 68/268. Finally, the Committee gave an overview of its work with regard to communications submitted under the Optional Protocol to the Covenant and its work relating to the preparation of general comments and/or statements. The Committee also responded to questions from States.

50. During its fifty-eighth session, the Committee held informal meetings with the Special Rapporteur on extreme poverty and human rights, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on the rights of indigenous peoples and the Special Rapporteur on violence against women, its causes and consequences to discuss issues of common interest and concern and to consider modalities of cooperation.

J. Participation of non-governmental organizations in the work of the Committee

51. In order to ensure that it is as well informed as possible, the Committee provides opportunities for NGOs to submit relevant information to it.[5] They may do so in writing, at any time prior to the consideration of the report of a given State party. The pre-sessional

[5] See *Official Records of the Economic and Social Council, 2001, Supplement No. 2* (E/2001/22-E/C.12/2000/21), annex V.

working group also accepts the submission of information in person or in writing from any NGO, provided that it relates to matters on the agenda of the working group. In addition, as of November 2012, the Committee sets aside part of the first two (or three) Mondays of each of its sessions for representatives of NGOs to provide information orally. Such information should: (a) focus specifically on the provisions of the Covenant; (b) be of direct relevance to matters under consideration by the Committee; (c) be credible; and (d) not be abusive. The relevant meeting is open to the public and is provided with interpretation and press services.

52. The Committee has requested the secretariat to ensure that written information formally submitted to it by NGOs in relation to the consideration of a specific State party report is made available as soon as possible to the representatives of the State party concerned. Prior to a session, this is normally done by posting it on the OHCHR website. The Committee therefore assumes that if any of this information is referred to during the dialogue with the State party, the latter will already be aware of the information.

K. General comments

53. In response to an invitation addressed to it by the Economic and Social Council, the Committee had, as from its third session, begun preparing general comments on the various rights and provisions of the Covenant, in particular with a view to assisting States parties in fulfilling their obligations under the Covenant. At its fifty-seventh session, the Committee adopted two general comments:

(a) General comment No. 22 (2016) on the right to sexual and reproductive health;

(b) General comment No. 23 (2016) on the right to just and favourable conditions of work.

As at 7 October 2016, the Committee had adopted 23 general comments (see www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

54. Through its general comments, the Committee endeavours to make the experience gained through its examination of State party reports available for the benefit of all States parties, in order to assist and promote further implementation of the Covenant; draw the attention of States parties to inadequacies disclosed by a large number of reports; suggest improvements in the reporting procedures; and encourage States parties, international organizations and United Nations specialized agencies concerned to achieve progressively and effectively the full realization of the rights recognized in the Covenant. Whenever necessary, the Committee may, in the light of the experience of States parties and the conclusions drawn therefrom, revise and update its general comments.

55. At its twenty-first session, the Committee adopted the outline for drafting general comments on specific rights enshrined in the Covenant.[6] The Committee agreed that the subject matter of a particular general comment would influence its overall structure and observed that the outline was not intended to be strictly adhered to. However, the outline provides useful signposts and a checklist of issues to be considered in the process of drafting a general comment. In this respect, the outline would assist in ensuring consistency in the content, format and ambit of general comments to be adopted by the Committee. The Committee emphasized the importance of ensuring that general comments were reader

[6] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), annex IX.

friendly, of reasonable length and readily understandable by a broad range of readers, in particular States parties to the Covenant. The outline would also assist in ensuring consistency and clarity in the structure of the general comments, thus promoting their accessibility and strengthening the authoritative interpretation of the Covenant provided by the Committee through its general comments.

L. Statements and letters adopted by the Committee

56. With a view to assisting States parties to the Covenant, the Committee adopts statements to clarify and confirm its position with respect to major international developments and issues with a bearing on the implementation of the Covenant.

57. On 24 June 2016, the final day of the fifty-eighth session, the Committee adopted a statement on public debt, austerity measures and the International Covenant on Economic, Social and Cultural Rights (E/C.12/2016/1). In the statement, the Committee addressed not only borrowing States but also lenders, including States but notably international or regional organizations (such as the International Monetary Fund or the International Bank for Reconstruction and Development). It highlighted the importance of human rights standards in the implementation of fiscal consolidation programmes, which are often a condition for obtaining loans and which have had a negative impact on the enjoyment of economic, social and cultural rights in many States, disproportionately affecting the most disadvantaged and marginalized individuals and groups.

58. On 7 October 2016, the final day of the fifty-ninth session, the Committee adopted a statement on human rights defenders and economic, social and cultural rights (E/C.12/2016/2). In the statement the Committee highlighted the importance of the role of civil society, noting that human rights defenders often faced risks and threats as a consequence of their work. It stressed that it considered any threat or violence against human rights defenders to constitute violations of States' obligations towards the realization of the Covenant rights. It reminded States of their responsibility to ensure that human rights defenders are effectively protected against any form of abuse, violence and reprisal. The Committee further enumerated specific measures of crucial importance to safeguard the work of human rights defenders.

59. As at 7 October 2016, the Committee had adopted 24 statements. The Chair of the Committee has also addressed open letters to States parties to the Covenant on issues of particular interest, such as economic, social and cultural rights and the economic and financial crisis and related austerity measures, and the post-2015 development agenda (see www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

Chapter III
Submission of reports by States parties under articles 16 and 17 of the Covenant

60. In accordance with rule 58 of its rules of procedure, the Committee, at its 50th meeting on 19 September 2016, considered the status of submission of reports under articles 16 and 17 of the Covenant.

61. In that connection, the Committee had before it the following documents:

(a) Note by the Secretary-General on the revised general guidelines regarding the form and contents of reports to be submitted by States parties (E/C.12/2008/2);

(b) Note by the Secretary-General on the status of submission of reports by States parties to the Covenant as at 11 July 2016 (E/C.12/59/2).

62. The Secretary-General informed the Committee that, in addition to the reports scheduled for consideration by the Committee at its fifty-seventh, fifty-eighth and fifty-ninth sessions (see paras. 66, 67 and 68 below), between 9 October 2015 and 7 October 2016, he had received reports submitted under articles 16 and 17 of the Covenant from the following States parties: Colombia, Mexico, the Netherlands, Republic of Korea, Sri Lanka, Pakistan, the Russian Federation and Uruguay.

Chapter IV
Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant

63. At its fifty-seventh session, the Committee examined the following reports submitted by three States parties under articles 16 and 17 of the Covenant.

Initial report	
Namibia	E/C.12/NAM/1
Combined second to fifth periodic reports	
Kenya	E/C.12/KEN/2-5
Sixth periodic report	
Canada	E/C.12/CAN/6

64. At its fifty-eighth session, the Committee examined the following reports submitted by seven States parties under articles 16 and 17 of the Covenant.

Initial report	
Burkina Faso	E/C.12/BFA/1
Second periodic report	
Honduras	E/C.12/HND/2
Combined second to fourth periodic reports	
The former Yugoslav Republic of Macedonia	E/C.12/MKD/2-4
Fourth periodic report	
France	E/C.12/FRA/4
Combined fourth and fifth periodic reports	
Angola	E/C.12/AGO/4-5
Sixth periodic report	
Sweden	E/C.12/SWE/6
United Kingdom of Great Britain and Northern Ireland	E/C.12/GBR/6

65. At its fifty-ninth session, the Committee examined the following reports submitted by seven States parties under articles 16 and 17 of the Covenant:

Second periodic report	
Lebanon	E/C.12/LBN/2
Third periodic report	
Tunisia	E/C.12/TUN/3
Fourth periodic report	
Dominican Republic	E/C.12/DOM/4
Fifth periodic report	
Costa Rica	E/C.12/CRI/5
Combined fifth and sixth periodic reports	
Philippines	E/C.12/PHL/5-6
Sixth periodic report	
Cyprus	E/C.12/CYP/6
Poland	E/C.12/POL/6

66. At its eighth session, the Committee decided to discontinue its practice of including in its annual report summaries of its consideration of State party reports. Instead, reference is made to the relevant summary records of the meetings at which the reports were considered. The Committee adopted concluding observations on each report considered. The concluding observations listed below are available from the official document system of the United Nations. In accordance with established practice, members of the Committee do not participate in the dialogue with the delegation nor the drafting or the adoption of the concluding observations relating to the report of their own country.

Fifty-seventh session concluding observations

State party	*Symbol*
Canada	E/C.12/CAN/CO/6
Kenya	E/C.12/KEN/CO/2-5
Namibia	E/C.12/NAM/CO/1

Fifty-eighth session concluding observations

State party	*Symbol*
Angola	E/C.12/AGO/CO/4-5
Burkina Faso	E/C.12/BFA/CO/1
France	E/C.12/FRA/CO/4
Honduras	E/C.12/HND/CO/2

State party	*Symbol*
Sweden	E/C.12/SWE/CO/6
The former Yugoslav Republic of Macedonia	E/C.12/MKD/CO/2-4
United Kingdom of Great Britain and Northern Ireland	E/C.12/GBR/CO/6

Fifty-ninth session concluding observations

State party	*Symbol*
Costa Rica	E/C.12/CRI/CO/5
Cyprus	E/C.12/CYP/6
Dominican Republic	E/C.12/DOM/CO/4
Lebanon	E/C.12/LBN/CO/2
Philippines	E/C.12/PHL/CO/5-6
Poland	E/C.12/POL/CO/6
Tunisia	E/C.12/TUN/CO/3

Chapter V
Activities of the Committee under the Optional Protocol

A. Progress of work concerning individual communications submitted to the Committee

67. At the time of adoption of the present report, the Committee had registered 14 communications under the Optional Protocol since its entry into force. At present, the status of the communications registered is as follows:

(a) Consideration concluded by the adoption of Views under article 9 (1) of the Optional Protocol: two, including one in which no violation was found;

(b) Declared inadmissible: seven;

(c) Discontinued or withdrawn: none;

(d) Not yet concluded: five.

68. At its fifty-seventh session, the Committee adopted Views on the merits of communication No. 1/2013, *López Rodríguez v. Spain*, and declared communication No. 11/2015, *F.G.M. et al. v. Spain* inadmissible. At its fifty-eighth session, the Committee considered the admissibility of communications No. 3/2014, *C.A.P.M. v. Ecuador*; No. 12/2016, *J.M.R.H. et al. v. Spain*; and No. 13/2016, *E.C.P. et al. v. Spain* and declared them inadmissible. At its fifty-ninth session, the Committee considered the admissibility of communication No. 4/2014, *Merino Sierra v. Spain* and declared it inadmissible.

69. At the fifty-seventh, fifty-eighth and fifty-ninth sessions, the Chair-Coordinator of the working group on communications, Heisoo Shin, reported on the activities of the working group. During the period under review, the working group held a total of eight

meetings outside the plenary and discussed issues relating to the Committee's work under the Optional Protocol.

70. At its fifty-ninth session, the Committee adopted guidance on third-party interventions aimed at regulating the intervention of third-party individuals and entities in the Committee's examination of individual communications pursuant to article 8 of the Optional Protocol.

B. Follow-up to the Committee's Views on individual communications

71. The implementation of the Committee's Views on one communication (No. 2/2013, *I.D.G. v. Spain*) is currently being followed up. At the fifty-eighth session, the working group on communications appointed Rodrigo Uprimny as rapporteur on follow-up to communication No. 2/2013.

Chapter VI
Joint meeting of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the occasion of the fiftieth anniversary of the International Covenants on Human Rights

72. On 23 June 2016, during its fifty-eighth session, the Committee held a joint meeting with the Human Rights Committee (CCPR/C/SR.3273-E/C.12/2016/SR.48). This meeting was organized in the context of the fiftieth anniversary of the two Covenants and symbolized the indivisibility and interrelatedness of all human rights — civil, cultural, economic, political and social — and celebrated the work of the two Committees established to oversee the implementation of the "twin" Covenants. While the interrelatedness, interdependence, indivisibility and complementarity of all human rights have been widely acknowledged for decades, the Committee highlighted the need for concrete measures to further pursue these principles. Innovative ideas for working jointly were presented by members of both Committees on issues of substance as well as procedure, taking into account the need to address new challenges that affect the enjoyment of all human rights.

Chapter VII
Substantive issues arising from the implementation of the Covenant

73. In addition to the two aforementioned general comments (para. 56) and two statements (paras. 60 and 61) adopted in 2016, the Committee continued to reflect on issues that affect its work. As the official meeting time allocated to the Committee offers limited space for in-depth substantive discussion, members have also reached out to partners in order to garner their support in creating the space for and facilitating such discussions. They also conduct background research themselves, or with the support of OHCHR whose capacities are increasingly limited.

Chapter VIII
Additional decisions adopted and matters discussed by the Committee at its fifty-seventh, fifty-eighth and fifty-ninth sessions

A. Participation in intersessional meetings

74. Members of the Committee continued to participate in, and/or contribute in different capacities to, initiatives for a better understanding and implementation of the Covenant, taken by different stakeholders. Requests for such participation are addressed to the Committee through the Chair, to members directly or through the secretariat.

B. Future general comments and statements

75. During its fifty-eighth session, the Committee completed its first reading of the draft general comment on State obligations under the Covenant in the context of business activities. It commended the rapporteurs, Olivier De Schutter and Zdzislaw Kedzia, on the work completed so far and encouraged them to pursue consultations and further develop the draft. During its fifty-ninth session, the Committee was briefed on consultations carried out since the previous session and agreed to make the draft available publicly and to hold a day of discussion on the draft during its sixtieth session.

76. Work on two more general comments, for which background research has been carried out (see E/2016/22-E/C.12/2015/3, para. 73), is currently under way, namely, on the pertinence of the Covenant rights to the environment and development (rapporteur, Nicolaas Jan Schrijver) and on the right to enjoy the benefits of scientific progress and its applications (art. 15 (1) (b)) (rapporteur, Mikel Mancisidor de la Fuente). Work on other general comments will be discussed when those currently under preparation near completion.

C. Working methods of the Committee

77. The Committee again discussed certain aspects of its working methods, in the light of the adoption by the General Assembly of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, on 9 April 2014.

78. At its fifty-seventh session, the Committee considered the importance of having draft documents available in a timely fashion for consideration and decided that any draft document relating to its activities under the Covenant and requiring discussion and adoption by the Committee or the pre-sessional working group should be translated into the working languages of the Committee prior to the session during which it will be discussed. This includes any document relating to reporting (such as draft lists of issues and draft lists of issues prior to reporting or any draft document relating to follow-up to concluding observations), individual complaints, the inquiry procedure, authoritative interpretations (such as draft general comments), working methods or other matters (such as draft annual reports, draft rules of procedure and draft guidelines).

79. As agreed at its fifty-second and fifty-third sessions, with a view to piloting the simplified reporting procedure for States whose third periodic reports were due in 2017, the Committee sent notes verbales to nine States offering them the possibility of availing

themselves of that procedure. As at 9 October 2015, four of those nine States had responded. It is noteworthy that several other States have requested the possibility of availing themselves of the procedure. Consequently, at its fifty-seventh session, the Committee adopted lists of issues prior to reporting for three States parties whose reports are due in 2017.

80. At its fifty-seventh session, the Committee decided to pilot the use of a task force — a designated group of members — to lead the dialogue with a State party. The decision was taken in an effort to move towards an aligned methodology for the constructive dialogue and to enhance coordination in order to maximize the use of the time available, render the dialogue more effective and foster a more interactive and productive dialogue with States parties, pursuant to General Assembly resolution 68/268.

81. The pilot phase proved to be most effective and efficient. The Committee thus decided to generalize the use of task forces for all the dialogues with States parties. As far as possible, each task force is formed based on the thematic expertise, geographic distribution and linguistic aptitude of Committee members. The Committee further discussed and fine-tuned this approach at its fifty-ninth session, with a view to maximizing the use of the time available for the delegations to provide oral responses to its questions.

82. Regarding the time allocated for briefings, the Committee agreed to allow time for interaction with civil society, United Nations bodies and other partners on the first day of the week or of the first two or three weeks of each session, as the case may be, owing to the larger number of reports to be considered during each session and in accordance with the practice followed by other treaty bodies. The Committee is of the view that this will contribute to increasing the impact of the reporting process at the national level through the increased engagement of national-level stakeholders before and after its consideration of State party reports.

Chapter IX
Other activities of the Committee in 2016

83. On Saturday, 27 February 2016, the members of the Committee participated in an informal retreat to reflect on public budgets and maximum available resources for the realization of economic, social and cultural rights. The retreat was co-organized and hosted by the Friedrich Ebert Foundation. The internal discussions offered a space for participants to exchange views on issues relating to public budgets.

84. On 20 June 2016, the members of the Committee were invited by the Geneva Academy of International Humanitarian Law and Human Rights to an informal round-table discussion on the theme “Implementation and Remedies”. This was organized in the context of the platform for members of treaty bodies in cooperation with ESCR-Net, the International Network for Economic, Social and Cultural Rights. Members of the Human Rights Committee also participated in this discussion, which was yet another opportunity for the members of both Committees to exchange information on specific aspects of their work, share experiences and exchange views.

85. On 3 October 2016, the members of the Committee were invited by the Geneva Academy on International Humanitarian Law and Human Rights, in the context of the platform for members of treaty bodies, to an informal discussion on modalities to draw the attention of States parties to their obligations under the Covenant in the implementation of the 2030 Agenda for Sustainable Development. They also explored practical ways of drawing attention to links between the provisions of the Covenant and the Sustainable Development Goals, as well as identified targets and indicators.

Chapter X
Adoption of the report

86. At its 78th meeting, held on 7 October 2016, the Committee considered its draft report to the Economic and Social Council on the work of its fifty-seventh, fifty-eighth and fifty-ninth sessions. The Committee adopted the report as amended during the discussions.

Annex

Members of the Committee

Name	*Nationality*	*Term expires on 31 December*
Aslan **Abashidze** (Vice-Chair)	Russian Federation	2018
Mohamed Ezzeldin **Abdel-Moneim***	Egypt	2016
Clement **Atangana**	Cameroon	2018
Maria-Virginia **Bras Gomes**	Portugal	2018
Shiqiu **Chen***	China	2016
Chandrashekhar **Dasgupta**	India	2018
Olivier **De Schutter**	Belgium	2018
Zdzislaw **Kedzia***	Poland	2016
Azzouz **Kerdoun**	Algeria	2018
Mikel **Mancisidor de la Fuente*** (Vice-Chair)	Spain	2016
Sergei **Martynov**	Belarus	2016
Ariranga Govindasamy **Pillay** (Rapporteur)	Mauritius	2016
Lydia **Ravenberg***	Suriname	2016
Renato **Zerbini Ribeiro Leáo** (Vice-Chair)	Brazil	2018
Waleed **Sadi***(Chair)	Jordan	2016
Nicolaas **Schrijver**	Netherlands	2016
Heisoo **Shin**	Republic of Korea	2018
Rodrigo **Uprimny**	Colombia	2018

* Member re-elected for a four-year term as of 1 January 2017.

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