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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

Report of the Secretary-General

Summary

The present report is submitted in accordance with paragraph 16 of Commission on Human Rights resolution 2004/29 on the question of the realization in all countries of the economic, social and cultural rights, in which the Commission requested the Secretary-General to submit to it at its sixty-first session a report on the implementation of the resolution.

The report highlights the activities and developments within the international human rights system of most relevance to the promotion of economic, social and cultural rights. The report begins with a description of the recent initiatives undertaken by the Committee on Economic, Social and Cultural Rights, outside the framework of examining States' reports on compliance with the International Covenant on Economic, Social and Cultural Rights, to further the promotion, protection and full realization of the Covenant. Such initiatives have included the drafting of a general comment on article 3 of the Covenant (the equal right of men and women to the enjoyment of economic, social and cultural rights), holding a day of general discussion on article 6 of the Covenant (the right to work) and participating in a joint United Nations Educational, Scientific and Cultural Organization/Committee on Economic, Social and Cultural Rights expert group on the monitoring of the right to education. The report also refers to relevant activities of the Committee on the Rights of the Child, in particular its day of general discussion on "Implementing child rights in early childhood" during its thirty-seventh session on 17 September 2004.

The Commission on Human Rights has established special procedures on a number of economic, social and cultural rights. The special procedures have contributed to the conceptualization of economic, social and cultural rights, inter alia through their annual and mission reports to the Commission. The present report highlights several activities of the special procedures on the right to adequate housing as a component of the right to an adequate standard of living and the right of everyone to the highest attainable standard of physical and mental health beyond the information included in their reports.

The report also lists the activities of the Office of the United Nations High Commissioner for Human Rights relevant to the issues raised in the resolution with a specific emphasis on inter-agency initiatives, technical cooperation, follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Millennium Development Goals, participation in the World Summit on the Information Society and follow-up to the World Food Summit, and, finally, the development of in-house expertise in relation to economic, social and cultural rights.

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Introduction

1. In paragraph 16 of its resolution 2004/29, “Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights”, the Commission requested “the Secretary-General to submit to the Commission at its sixty-first session a report on the implementation of the present resolution”.

2. In the resolution, the Commission refers to activities in a range of fields relevant to the promotion and protection of human rights, focusing particularly on the activities of: the Committee on Economic, Social and Cultural Rights (CESCR) and the Committee on the Rights of the Child; the special procedures of the Commission with mandates focusing on one or more economic, social and cultural rights and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The present report provides the Commission with information on these activities over 2004.

I. ACTIVITIES OF TREATY BODIES

A. Committee on Economic, Social and Cultural Rights

3. As of 1 November 2004, the International Covenant on Economic, Social and Cultural Rights had been ratified or acceded to by 150 States.¹ This represents an increase of nine States parties in the past five years with two new ratifications over the present reporting period.

4. At its thirty-second session, from 26 April to 14 May 2004, CESCR continued its consideration of a draft general comment on article 3 of the Covenant (the equal right of men and women to the enjoyment of all economic, social and cultural rights), and started examining a draft general comment on article 6 (the right to work). Further discussions on both draft general comments were necessary and their eventual adoption was deferred to subsequent sessions. The Committee decided to schedule a meeting with States parties for its thirty-fourth session (25 April to 13 May 2005 in Geneva) for 10 May 2005.

5. At its thirty-third session, from 8 to 26 November 2004, the Committee continued its consideration of the draft general comments on article 3 (the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant) and began its consideration of a draft general comment on article 15 (1) (c) of the Covenant (the right to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author).

6. The joint UNESCO/CESCR expert group on the monitoring of the right to education, which includes two members of CESCR and two members of the UNESCO Committee on Conventions and Recommendations (CR), held its second meeting on 3 and 4 May 2004 in Geneva to continue discussions on how collaboration between UNESCO (CR) and the Economic and Social Council (CESCR) in monitoring and promoting the right to education could be further strengthened.

7. On 6 May 2004 the Committee held a meeting with Ms. Catarina de Albuquerque, Chairperson-Rapporteur of the open-ended working group to consider options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights. In response to resolution 2004/29 of the Commission on Human Rights, the Committee designated Mr. Eibe Riedel to represent the Committee as a resource person at the next session of the working group and Mr. Giorgio Malinverni as his alternate.

B. Committee on the Rights of the Child

8. The Convention on the Rights of the Child covers both economic, social and cultural rights and civil and political rights. This comprehensive treaty strongly reaffirms the interdependence and indivisibility of all human rights. During the reporting period, the Committee on the Rights of the Child held a day of general discussion on "Implementing child rights in early childhood" during its thirty-seventh session on 17 September 2004. The Committee adopted recommendations as a result of the day of general discussion which included recommendations concerning: the right to survival and development; the right to health; the right to education; the right to rest, leisure and play; assistance to parents, families and childcare institutions; human rights education; and the role of civil society and the private sector.²

II. SPECIAL PROCEDURES ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

9. During 2004, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, has undertaken, in addition to the main activities under his mandate, a series of activities to comply with resolution 2003/22 on women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing, in which the Commission requested the Special Rapporteur to submit a study on women and adequate housing to its sixty-first session. In order to be able to comply with that request, the Special Rapporteur has undertaken extensive consultations on the regional level, including through the organization of regional consultations on women and adequate housing. In addition to previous consultations organized in Kenya, India and Mexico, regional consultations were undertaken in Egypt in July 2004 and in Fiji during October 2004, with the support of OHCHR. Further regional consultations are planned for 2005. The main target for the regional consultations has been grass-roots organizations, but dialogue has also developed with governmental actors, national institutions, and United Nations agencies and programmes.

10. In addition, the Special Rapporteur has continued his collaboration with treaty bodies. In August 2004, at the sixty-fifth session of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur had the opportunity to discuss at length with the Committee about his work and to raise possible areas of future cooperation. The Special Rapporteur has also participated in several meetings and events initiated by UN-Habitat and other United Nations bodies, including the second World Urban Forum of UN-Habitat held in Barcelona, Spain, in September 2004. He participated in a parallel panel discussion organized by the UN-Habitat Advisory Group on Forced Evictions. The Special Rapporteur also participated in the twelfth session of the United Nations Commission on Sustainable Development in New York in April 2004, as a keynote presenter/panel member on the themes "Status of implementation of the Millennium Development Goals/Johannesburg Plan of Implementation goals related to human settlements, from global to local levels" and

“Prerequisites for housing the poor”. In his previous report, the Special Rapporteur mentioned the establishment of the inter-agency Housing Rights Task Force in Cambodia, as a positive example of an attempt to increased coordination among United Nations agencies and programmes, municipalities, ministries, and representatives from civil society (see E/CN.4/2004/48, para. 86). In October 2004, the Special Rapporteur was invited by the Cambodia Housing Rights Task Force to further examine its work, especially on the questions of forced evictions and related emergency situations. In December 2004, the Economic and Social Commission for Asia and the Pacific (ESCAP) and OHCHR in Bangkok invited the Special Rapporteur to address the practitioner’s forum on the right to adequate housing, held as a follow-up to the Regional Dialogue on Housing Rights organized by the United Nations Housing Rights Programme and ESCAP in June 2004, with participants from United Nations agencies and programmes, and non-governmental organizations from Afghanistan, Cambodia, Mongolia, Nepal, Pakistan, the Philippines, Thailand and Viet Nam. The Special Rapporteur has continued to contribute to, and cooperate actively with, civil society initiatives, including through his participation in the World Social Forum in Mumbai, India, in January 2004 and the Universal Forum of Cultures in Barcelona. The Special Rapporteur was also able to participate in a seminar on the right to water organized by the FoodFirst Information and Action Network (FIAN)-Sweden on the occasion of Stockholm Water Week in August 2004.

11. During 2004, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (hereafter “right to health”), Mr. Paul Hunt, has continued to work in cooperation with a range of actors to pursue his analysis of the bearing of poverty, and of discrimination and stigma, on the right to health. In addition to those activities already detailed in his report to the General Assembly (A/59/422), the Special Rapporteur has furthered his collaboration with the United Nations Development Programme/World Bank/World Health Organization (WHO) Special Programme for Research and Training in Tropical Diseases (TDR) to develop a draft human rights analysis of neglected diseases. He is working in close collaboration with WHO on a report to be published by WHO on the topic of a human rights-based approach to health in the context of poverty reduction. In October 2004, the Special Rapporteur travelled to Stockholm, where he held informal discussions with the Swedish International Development Agency (SIDA) and the Ministry for Foreign Affairs, as well as civil society organizations including the Swedish NGO Foundation for Human Rights and Médecins Sans Frontières. The Special Rapporteur has also held informal discussions on the right to health with other actors including the United Nations Children’s Fund, the World Bank, the Millennium Campaign and Millennium Project, pharmaceutical companies, and civil society organizations such as Physicians for Human Rights and the Ethical Globalization Initiative.”

12. The activities of the Special Rapporteur on the right to food have been compiled in his report to the General Assembly (A/59/385). The Special Rapporteur on the right to education, the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, and the independent expert on the question of human rights and extreme poverty were appointed in July 2004. Their activities and those of the independent expert on the effects of structural adjustment policies and foreign debt are available in the annual reports which are before the Commission.

III. ACTIVITIES OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS FOR THE PROMOTION AND REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A. Inter-agency initiatives

13. The report of the High Commissioner for Human Rights to the Economic and Social Council (E/2004/89) provides a review of progress achieved in integrating human rights as an essential part of the work of United Nations bodies and programmes. The following section outlines progress in specific areas by OHCHR.

14. OHCHR participates regularly in the United Nations Development Group (UNDG) and UNDG executive committee meetings and raises questions pertaining to economic, social and cultural rights where relevant. In 2004, OHCHR took part in two more rounds of revisions of the Guidelines to prepare the common country assessment (CCA) and the United Nations Development Assistance Framework (UNDAF). At both revisions, participants in UNDG recognized the need for the integration of human rights in development work, in particular through the adoption of a human rights-based approach at all stages of the inter-agency common programming process (CCA/UNDAF).

15. OHCHR has been working directly with United Nations country teams to support the integration of human rights in the United Nations programming process. OHCHR offers two-day training workshops to all interested country teams that are in the process of drafting a CCA or UNDAF. Out of 19 countries drafting a CCA or UNDAF in 2004, OHCHR directly facilitated training workshops in 9 of them. In addition, OHCHR has facilitated training sessions in regional workshops organized by UNDG for all 19 country teams. Of the 40 United Nations country teams that will be drafting a CCA/UNDAF in 2005, OHCHR has helped in the training of the Egypt team and there are training workshops planned for 2005 in Beirut, Bangkok, Pretoria and Panama.

16. In addition to these training workshops, OHCHR offers ongoing support to United Nations country teams by commenting on draft CCAs and UNDAFs and attending, wherever possible, the UNDAF prioritization workshops that usually take place once the CCA has been completed, in order to identify development challenges facing the United Nations country team. OHCHR is also participating in assessments and evaluations taking place within the UNDG working mechanisms.

17. In accordance with General Assembly resolution 57/300, concerted efforts are under way to provide an integrated and consistent response to Member States that request support in strengthening their national human rights promotion and protection systems. The inter-agency plan of action, developed pursuant to the request of the Secretary-General in his report "Strengthening of the United Nations: an agenda for further change" (A/57/387 and Corr.1), and endorsed by UNDG, Executive Committee on Humanitarian Affairs (ECHA) and OHCHR principals in September 2003, places its focus on building the capacity of United Nations country teams over its three-year implementation period from 2004 to 2006, with the ultimate goal of

assisting interested Member States in establishing and strengthening national human rights promotion and protection systems consistent with international human rights norms and principles, including their integration in development and humanitarian processes.

18. The joint OHCHR/UN-Habitat United Nations Housing Rights Programme (UNHRP) carried out a study on “Indigenous peoples’ right to adequate housing: a global overview”, with publication foreseen in February 2005. The report provides a global overview of the housing and related living conditions of indigenous peoples and an assessment of the extent to which indigenous peoples’ housing rights are recognized and implemented, based on a number of specific case studies. The Regional Dialogue on Housing Rights held in Bangkok in June 2004 focused on panel and group discussions related to creating synergy in the implementation of housing rights: actions by Governments and civil society; innovative practices in housing rights; equal access to housing resources; access to legal and other remedies; combating homelessness; and security of tenure and forced evictions.

19. The first two-year cycle of the UNHRP ended in May 2004. A joint UN-Habitat/OHCHR assessment report has been produced, reviewing the activities undertaken between April 2002 and May 2004 and the lessons learned from these activities. Furthermore, the report reviews issues and areas in the field of housing rights, resource mobilization and management-related issues connected with the first phase of UNHRP implementation. The report identifies the lack of resources as one of the most significant impediments encountered, which has necessitated prioritization of activities around 4 out of the programmed 11 objectives. The activities focused on were: the promotion of awareness of housing rights; the support for the work of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living; the development of indicators, benchmarks and assessment tools for monitoring housing rights; and the promotion of the development of relevant norms, standards and guidelines on housing rights. Significant progress has been made in the areas of housing rights legislation and monitoring. A particular focus has also been placed on advocacy and information dissemination. For the future continuation of the UNHRP, it is intended that a further readjustment of priorities will be undertaken in view of recent developments in the area of women’s rights, the Commission’s request to develop a good practices database, the Secretary-General’s reform plan to focus on supporting national protection system, and activities related to the implementation of the Millennium Declaration Goals.

20. OHCHR continues to pursue joint activities with the Joint United Nations Programme on HIV/AIDS (UNAIDS) in the area of human rights and HIV/AIDS. During 2004, these have included: a handbook on the human rights aspects of HIV/AIDS for national human rights institutions; publication and dissemination of an interactive cartoon booklet, *HIV/AIDS Stand Up for Human Rights* (together with WHO), and the preparation of a user-friendly version of the International Guidelines on HIV/AIDS and Human Rights. The Office has also participated in the Inter-agency Task Team on Gender and HIV/AIDS, which in 2004 produced a resource kit including an operation guide and fact sheets on issues relating to gender, human rights and HIV/AIDS. OHCHR has continued through 2004 to provide briefings on HIV/AIDS issues to the human rights treaty bodies in relation to the consideration of country reports.

21. OHCHR has increased its cooperation with the United Nations Conference on Trade and Development (UNCTAD) and the World Trade Organization (WTO). OHCHR participated in the UNCTAD-led task force on “gender and trade” of the Inter-Agency Network on Women

and Gender Equality. OHCHR contributed a chapter entitled “Human rights, gender and trade: a legal framework” to a book, *Trade and Gender: Opportunities and Challenges for Developing Countries*, edited by UNCTAD. OHCHR has also consulted with UNCTAD and WTO in relation to the analytical study of the High Commissioner on the fundamental principle of participation in the context of globalization (E/CN.4/2005/41).

B. Technical cooperation

22. The following sets out examples of activities undertaken in 2004 in the context of OHCHR technical cooperation projects and field offices in the area of economic, social and cultural rights:

(a) Workshops. OHCHR, together with the Department of Foreign Affairs of the Philippines, the Commission on Human Rights of the Philippines, the Supreme Court of the Philippines, the Association of South-East Asian Nations (ASEAN) Law Association, the International Bar Association, the International Commission of Jurists, the Centre on Housing Rights and Evictions and the University of the Philippines Women Lawyers Circle, with the support of UNDP, held a subregional Workshop for Judges and Lawyers on the Justiciability of Economic, Social and Cultural Rights in Manila from 3 to 5 November 2004;

(b) Developing tools. The OHCHR Regional Office in Bangkok initiated a “Human rights approach to development: lessons learned” project which will identify and draw lessons from programmes in the region that have sought to implement a human rights approach;

(c) Providing analysis. The OHCHR Office in Cambodia undertook a study of the impact of land concessions for economic purposes on the human rights of local populations;

(d) Advocacy role. In Timor-Leste, an OHCHR project supported a two-day workshop on economic, social and cultural rights at which the results of a study analysing the National Development Plan from a rights perspective were presented;

(e) Supporting national capacities for monitoring, and documenting economic, social and cultural rights. In Bosnia and Herzegovina the Rights-based Municipal Assessment and Planning Project (RMAP) identified obstacles to access by Roma refugees of social assistance and adequate housing in different municipalities. In this context, OHCHR initiated and coordinated activities with a national NGO, UNHCR and the Organization for Security and Cooperation in Europe (OSCE) to seek a sustainable solution to the situation of Roma families who were evicted under the Property Law Implementation Plan. The Roma’s capacity to demand their rights to adequate housing and other social and economic rights has been improved by obtaining the necessary legal documentation and providing legal advice;

(f) Supporting national capacities for protecting economic, social and cultural rights. In Colombia, the OHCHR Office supported the establishment of a committee on health and prisons to monitor the situation. The Assisting Communities Together (Act) project in Bosnia and Herzegovina provided support to NGOs working on the right to health for vulnerable groups in remote areas;

(g) Enhancing a human rights approach to poverty reduction strategy papers in Angola and Sierra Leone.

C. Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

23. The Durban Declaration and Programme of Action adopted at the World Conference expresses States' commitment to design, promote and implement at the national, regional and international levels strategies, programmes and policies, and adequate legislation, which may include special and positive measures, for furthering equal social development and the realization of the civil and political, economic, social and cultural rights of all victims and persons vulnerable to racism, racial discrimination, xenophobia and related intolerance.

24. At the third session of the Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, held from 11 to 22 October 2004, the Working Group examined the thematic issues of health, the Internet and complementary standards (see E/CN.4/2005/20). At its fourth session, the Working Group of Experts on People of African Descent (25 October 2004-5 November 2004) considered the themes of employment, health and housing in light of racism and racial discrimination experienced by people of African descent (see E/CN.4/2005/21).

25. In their recommendations both working groups emphasized the need for States to prioritize the collection, analysis, dissemination and publication of reliable disaggregated statistical data at the national and local levels in order to assess regularly the situation of victims and implement policies to combat racism, racial discrimination, xenophobia and related intolerance, in compliance with international human rights law and national legislations.

26. Follow-up activities of OHCHR towards the effective implementation of the Durban Declaration and Programme of Action have included various undertakings in cooperation with human rights thematic and country mandates and treaty bodies in addition to United Nations bodies, specialized agencies, and international and regional intergovernmental organizations designed to contribute to the deliberations of the follow-up mechanisms. For example, OHCHR participated in the official launch of the project "The abolition of slavery route", jointly organized by UNESCO and the Government of France in Champagny, France, in April 2004. Further, following a workshop jointly organized by OHCHR and UNESCO on the theme "Combating racism and fostering tolerance", a book is being published by OHCHR under the title *Dimensions of Racism*, in English, French and Spanish.

D. Millennium Development Goals

27. In 2005 the international community will review progress achieved in implementing the commitments contained in the United Nations Millennium Declaration. The human rights commitments of the Declaration will be a focus of attention by OHCHR, along with the eight quantitative, time-bound Millennium Development Goals. In the lead-up to the 2005 review, OHCHR has been considering the ways in which the strategies to achieve the vision of the Declaration (including the Goals) can be pursued in a manner that protects and promotes human rights.

28. In 2004 OHCHR has continued to work towards elaborating the linkages between human rights and the Millennium Development Goals. The High Commissioner's Special Adviser on the Goals represented the Office on Millennium Project Task Force 1, and submitted a report entitled "A human rights perspective on the Millennium Development Goals" to the Task Force in October 2004. This contribution is meant to be considered in the drafting of the final project report. Together with the Millennium Campaign, the Office held briefings on the linkages between the Goals and human rights within the context of the annual meetings of special procedures mandate-holders and of chairpersons of human rights treaty bodies. A joint brochure is being prepared with the Millennium Campaign highlighting the relevance of human rights to strategies for achieving the Goals. The brochure is aimed in particular at grass-roots organizations working towards the Goals. The Office is also participating actively in preparations for the 2005 high-level review of the Millennium Declaration, including input to the Secretary-General's report to the General Assembly, and preparations for the Summit itself. OHCHR has also undertaken work in preparing for the initial meeting of the high-level task force within the context of the Commission's Working Group on the Right to Development. One issue to be considered by the task force concerns the obstacles and challenges to the implementation of the Millennium Development Goals in relation to the right to development. OHCHR has also participated in the United Nations Development Group (UNDG) discussions on United Nations strategies to support implementation of the Millennium Declaration, and in particular the Goals. Finally, the Office is continuing work on a detailed publication aimed at clarifying the linkages and relationship between human rights and each of the Goals.

E. FAO Voluntary Guidelines

29. On 24 September, the Committee on World Food Security of the Food and Agriculture Organization (FAO) endorsed a set of voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security. The text was adopted by the FAO Council in its November 2004 session.³ The Voluntary Guidelines provide useful practical guidance on how to integrate a human rights approach in the operational activities of States, United Nations bodies and civil society, within the framework of efforts to ensure national food security. They should be seen in the context of other instruments and sources (such as the general comments adopted by the human rights treaty bodies) which offer guidance on measures that should be adopted to implement the human rights obligations accepted by States parties to the International Covenant on Economic, Social and Cultural Rights, particularly with regard to legal reform or the provision of adequate remedies.

30. The Intergovernmental Working Group that negotiated the Voluntary Guidelines was established by the FAO Council in response to the invitation by the World Food Summit: five years later (2001) with a mandate to elaborate, within two years, a set of voluntary guidelines to support States' efforts to progressively realize the right to adequate food. The Working Group was open to States members of FAO and the United Nations with participation of stakeholders (including OHCHR, CESCR, the Special Rapporteur on the right to food and several human rights NGOs).

31. This is the last step in a process that started with the World Food Summit (1996), objective 4.7 of which established the need to clarify the rights related to food contained in article 11 of the International Covenant on Economic, Social and Cultural Rights, and which invited the High Commissioner for Human Rights to do such clarification, taking into account

possible development of voluntary guidelines as a way to implement that right. In response to that invitation, the CESCR adopted its general comment No. 12 (1999) on the right to adequate food as contained in the Covenant.

32. OHCHR, together with members of CESCR and the Special Rapporteur on the right to food, actively participated in the process. The secretariat (constituted as an ad hoc unit within the FAO Economic and Social Department, with OHCHR participation) carried out a series of activities in support of the Working Group, including a series of information papers on several aspects of the right to food, several country case studies, and seminars and symposiums in various countries. These activities will serve as a basis for any future work in implementation of the Voluntary Guidelines.

33. The adopted text was the result of two years of intense work and negotiations among States, with the active participation of stakeholders. It took three sessions of the Working Group (24-26 March 2003, 27-29 October 2003 and 5-9 July 2004), various sessions in the form of open-ended working groups (February 2004 and July 2004), and several meetings of the officers of the Working Group and interested States to agree on the text of the Voluntary Guidelines. The text comprises three parts: preface and introduction, guidelines 1 to 18, and international framework. Guidelines 1 to 18 address a wide range of issues relating to the right to food: from the need to adopt national strategies, including poverty reduction strategies, and establish adequate institutions, legislation and market systems, to the adoption of measures in the fields of access to resources and assets, consumer protection and food safety, nutrition, education and awareness-raising, financial resources, safety nets and emergency preparedness. Guideline 18 establishes a clear link between section III on the international framework, which provides an enabling environment, and the other guidelines.

F. The development of in-house expertise

34. OHCHR, together with the United Nations Staff College, held two in-house training sessions in June 2004 for OHCHR staff at headquarters and in the field on integrating human rights - including economic, social and cultural rights - in development and humanitarian work. The training focused particularly on how to support United Nations country teams in integrating human rights in the CCA/UNDAF and in the Consolidated Appeal Process-Consolidated Humanitarian Appeal Paper.

35. OHCHR attended and chaired a session at the European Round Table on Economic, Social and Cultural Rights hosted by the Government of Portugal and the International Commission of Jurists on 24 and 25 May 2004.

V. CONCLUSIONS

36. **There has been continued progress during 2004 to increase focus and understanding on economic, social and cultural rights marked by higher levels of cooperation with United Nations agencies, in particular in the context of the adoption of the FAO Voluntary Guidelines on the Right to Food, as well as a greater focus on economic, social and cultural rights in technical cooperation, including a further subregional workshop on the justiciability of economic, social and cultural rights.**

37. Progress has been made in raising awareness about the nature and content of economic, social and cultural rights through the work of the treaty bodies. In particular, the Committee on Economic, Social and Cultural Rights has continued drafting a general comment on article 3 of the Covenant (the equal right of men and women to the enjoyment of all economic, social and cultural rights), article 6 (the right to work) and article 15 (1) (c) (the right to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author). The adoption of general comments continues to assist States parties to treaties in understanding more clearly the nature and content of their obligations to promote and protect economic, social and cultural rights.

38. Special procedures continue to play a key role in promoting more effective implementation of economic, social and cultural rights. They have increased their cooperation with United Nations agencies such as WHO (the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health). The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living has consulted widely at the regional level on the issue of women and housing. The Special Rapporteur on the right to food has participated actively in the FAO Intergovernmental Working Group to draft voluntary guidelines on the right to food.

39. OHCHR has continued its cooperation with other United Nations agencies as part of the integration of economic, social and cultural rights within the United Nations system. OHCHR has undertaken activities in the form of consultations, workshops, seminars and joint publications and framework documents on rights-based approaches with UNDG, UN-Habitat, UNAIDS, FAO, UNCTAD and WTO.

40. Economic, social and cultural rights have been given priority in the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Working Group of Experts on People of African Descent through the consideration of rights with regard to the health, housing, education, employment and poverty concerns of racial, ethnic, linguistic, national and religious minorities.

41. OHCHR has also been involved in preparations for the World Summit on the Information Society and has been an active member of the FAO Intergovernmental Working Group to draft voluntary guidelines on the right to food. Significantly, the decision to establish the Working Group and to adopt the Voluntary Guidelines will assist in the implementation of the right to adequate food. It will also be an important step in the process of mainstreaming human rights into the work of United Nations specialized agencies.

Notes

¹ A list of States parties, as well as information on the status of the submission of reports by States parties, can be found in document E/C.12/2004/7 of 24 June 2004. Information on reservations, withdrawals, declarations and objections under the Covenant can be found in document E/C.12/1993/3/Rev.6 of 9 February 2004. An updated list of States parties, information on reservations, withdrawals, declarations and objections, is available on the web site of the United Nations Office of Legal Affairs: <http://untreaty.un.org>.

² The recommendations can be found at the OHCHR web site: <http://www.ohchr.org/english/bodies/crc/docs/recommendations.doc> (accessed 2 November 2004).

³ The Voluntary Guidelines can be found in the “Report of the Council of the FAO, Hundred and twenty-seventh session, Rome, 22-27 November 2004”, FAO document CL 127/REP, appendix D.

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