



Economic and Social Council

Distr.: General
3 October 2012
English
Original: French

Committee on Economic, Social and Cultural Rights

Forty-eighth session

Summary record of the first part (public)* of the 1st meeting

Held at the Palais Wilson, Geneva, on Monday, 30 April 2012, at 10 a.m.

Chairperson: Ms. Pillay

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* No summary record was prepared for the second part (closed) of the meeting.

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

Opening of the session

1. **The Chairperson** declared open the forty-eighth session of the Committee on Economic, Social and Cultural Rights, and announced that, unusually, the current session would be disseminated in the form of a webcast, with help from civil society.

Statement by the United Nations High Commissioner for Human Rights

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights) said that the global economic, climate, energy and food crises should not jeopardize the fulfilment by States of their obligations under the International Covenant on Economic, Social and Cultural Rights (the Covenant). The Committee had a vital role to play in that regard, not only by discouraging States from adopting retrogressive measures which could undermine people's social rights, but also by helping to find viable responses to the crises.

3. The Office of the United Nations High Commissioner for Human Rights, which had been actively involved in promoting ratification of the Optional Protocol to the Covenant, looked forward to the two outstanding ratifications required for the instrument to enter into force, within three months of the submission of the tenth ratification or accession instrument, pursuant to article 18 of the Optional Protocol. The treaty body system was continuing to expand, and her summary report on efforts to strengthen the treaty bodies would be published at the end of June 2012. She strongly urged the Committee to consider endorsing the outcome document of the 2009 "Dublin II" consultations.

4. Welcoming the Committee's initiative to request further support from the Economic and Social Council for its work, she said that she applauded plans to reduce, as of November 2012, the number of meetings for the consideration of State party reports from three to two. She encouraged the Committee to draw the attention of the member States to the difficulties it faced and, in that regard, welcomed the fact that the General Assembly, in resolution 66/148 of 22 March 2012 on the two international human rights covenants, invited the Chairpersons of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to address the General Assembly and engage in a dialogue on that issue.

5. In February 2012, in Geneva, and at the start of April in New York, she had been engaged in consultations with member States and civil society. At the New York consultation meeting, the 110 States present had clearly heard her message, namely, that the resources at the disposal of the treaty bodies should be adequate to the task which they had been mandated to fulfil. Recalling General Assembly resolution 66/254 of 23 February 2012, under which an intergovernmental process on strengthening and enhancing the effective functioning of the human rights treaty body system had been launched, she said that the process, which she considered appropriate and necessary, would allow States to reflect on concrete measures to address the financial challenges faced by the treaty bodies.

6. The Office's annual report, due at the end of May 2012, would contain detailed information on activities implemented in 2011 by the Office to promote economic, social and cultural rights. During the previous five years, the scope of those activities had continued to expand, both at the level of the application of rights in the field and through research carried out in Geneva, in all the areas of particular interest to the Committee (including the right to health, food and housing, and matters related to land issues). She congratulated the members of the Committee who had been re-elected for another term, starting in 2013, by the Economic and Social Council and wished the Committee every success in its deliberations.

7. **Mr. Sadi** asked the High Commissioner what, in her opinion, were the specific steps that could be taken to reconcile the impact of the current economic recession with the expectations placed on States regarding respect for their commitments and obligations. Furthermore, given that the Commission on the Status of Women did not acknowledge the Committee's general comment No. 16 (2005) on the equal rights of women and men to the enjoyment of all economic, social and cultural rights, he wondered what means could be used to foster dialogue on common areas of work between the various bodies in the United Nations system.

8. **Mr. Riedel** said that the preparatory work done by the High Commissioner during her visit to the Republic of Moldova had made it easier for him to persuade the Moldovan authorities to undertake to ratify the Optional Protocol to the Covenant on Economic, Social and Cultural Rights by the end of 2012. Recalling that the Committee was in the process of modifying its procedures so as to be able to consider a larger number of State party reports, he asked about the scope of the funding allocated to the Human Rights Council (special procedures, the universal periodic review) and what plans were foreseen to ensure adequate funding of the work of the Committee (especially the recruitment of qualified staff).

9. **Mr. Schrijver** asked the High Commissioner what, in her opinion, and bearing in mind current circumstances, would be a realistic and satisfactory outcome to the discussion on treaty body reform.

10. **Ms. Shin** said she regretted the fact that the replies to lists of issues were never translated, and asked whether it was the General Assembly or the Office of the United Nations High Commissioner for Human Rights that decided whether to request the translation of such documents.

11. **Ms. Pillay** (United Nations High Commissioner for Human Rights) said that, as the treaty bodies each had their own working methods, it was difficult to harmonize the entire system. The Committee on Economic, Social and Cultural Rights was funded from the United Nations regular budget. Although human rights constituted one of the three pillars of the work of the United Nations, the human rights budget had never increased by more than 2.8 per cent. As the budgetary allocations were inadequate, funding for human resources expenses came partly from extrabudgetary resources. The allocation of adequate resources for the functioning of the various treaty bodies was a realistic and satisfactory outcome which could be expected from the current discussions. Her Office had drawn up a timetable to provide States with a clear indication of the deadlines they needed to meet in order to fulfil their reporting obligations.

12. As far as responses to the crises were concerned, the members of the Committee themselves had the expertise to be able to promote economic and social rights, especially the right to health and food, vis-à-vis member States. The policies adopted by public authorities must focus on those rights, not merely on economic growth. However, the austerity measures being taken by Governments would result in budget cuts affecting the most vulnerable (the poor, women and children) sections of society. Expressing her sincere regret about shortcomings in the translation of documents, she said that she would try to involve the services concerned in discussions on strengthening the treaty body system and provide them with an opportunity to describe the difficulties they faced.

Adoption of the agenda (E/C.12/48/1)

13. *The agenda was adopted.*

The first (public) part of the meeting rose at 10.50 a.m.