



Economic and Social Council

Distr.: General
6 May 2011

Original: English

Committee on Economic, Social and Cultural Rights

Forty-sixth session

Summary record (partial)* of the 1st meeting

Held at the Palais Wilson, Geneva, on Monday, 2 May 2011, at 10 a.m.

Temporary Chairperson: Mr. Salama (Representative of the United Nations High Commissioner for Human Rights)

Chairperson: Mr. Pillay

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

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The meeting was called to order at 10 a.m.

Opening of the session

1. **The Temporary Chairperson** declared open the forty-sixth session of the Committee on Economic, Social and Cultural Rights.
2. On behalf of the United Nations High Commissioner for Human Rights and in his capacity as Director of the Human Rights Treaties Division, he welcomed Ms. Shin and Mr. Ribeiro Leão as new members of the Committee.
3. He noted that 2011 was a challenging year for the treaty body system and treaty body experts, States parties, civil society and other stakeholders had started to reflect on how to strengthen that system in response to the call made by the United Nations High Commissioner for Human Rights in autumn 2009. A series of events had taken place since the Committee's previous session, most recently in the Republic of Korea for international civil society actors, and others were scheduled in the coming months, aimed at bringing together individual groups of stakeholders to solicit their views and suggestions on enhancing the working methods of the treaty bodies and making them more efficient and effective for rights-holders worldwide.
4. The most significant events in that context had been the adoption of the Dublin Statement on the process of strengthening of the United Nations human rights treaty body system in November 2009, followed in June 2010 by the Marrakech Statement on strengthening the relationship between national human rights institutions and the human rights treaty bodies system which contained recommendations for enhanced cooperation, and in September 2010 by the Poznan Statement on the reforms of the United Nations human rights treaty body system, which had enjoyed active participation from the Committee. A consultation for States parties was scheduled for 12 and 13 May in Sion, Switzerland, to which the Chairpersons of all the treaty bodies had been invited, and consultations for United Nations entities and national civil society actors were planned for later in the year. Also, a meeting in Dublin aimed at bringing the consultative phase to a close was planned for the autumn.
5. With respect to Inter-Committee issues, a meeting of the Working Group on follow-up to concluding observations, inquiries, visits and decisions set up by the Inter-Committee Meeting had taken place from 12 to 14 January 2011 in Geneva, with Mr. Abdel-Moneim and Mr. Kedzia present. The Committee had received an advance version of the meeting's report, which contained the points of agreement of the Working Group to be placed before the Inter-Committee Meeting and the Meeting of Chairpersons of the human rights treaty bodies in June. A one-day consultation between the Committee and the Committee against Torture would take place on 7 May at the Château de Bossey to discuss topics selected for the forthcoming Inter-Committee Meeting and to consider how to strengthen working methods, improve the effectiveness of the human rights treaty bodies and better manage workloads, as requested of all the treaty bodies by the General Assembly.
6. He noted that the Economic and Social Council had twice deferred a decision on the Committee's request for additional meeting time. During the Council's previous substantive session in December 2010, resolution 2010/37 had been adopted requesting the Chairperson of the Committee to report on the steps taken to improve efficiency, before a decision was taken by the Council.
7. Further consideration would be given to the Committee's request to the secretariat to enquire about the budgetary implications of working in two chambers, and for information on the financial implications of converting pre-sessional working group time into plenary time, as well as the request for an additional session. However, he noted that States were leaning towards limiting the approval of additional resources to the extent possible and thus

encouraged the Committee to develop a well-founded explanation to States as to why it was requesting a third meeting for the consideration of a State party's report.

8. The International Convention for the Protection of All Persons from Enforced Disappearance had entered into force on 23 December 2010, and elections for the Committee on Enforced Disappearances would take place on 31 May 2011. Also, on 17 February 2011, an open-ended working group had adopted a draft Optional Protocol to the Convention on the Rights of the Child to establish an individual communications procedure, which would be placed before the Human Rights Council for formal adoption in June and was expected to be transmitted to the General Assembly for approval during its sixty-sixth session. In addition, the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons had held its first session in April with the participation of a member of the Committee. Those efforts could result in a new instrument and monitoring body.

9. The Office of the United Nations High Commissioner for Human Rights (OHCHR) continued to encourage ratification of the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol in particular, including through its representatives in the field. However, there had not been any evident progress in the ratification process since the Committee's previous session.

10. Correspondence related to the celebration of the twenty-fifth anniversary of the United Nations Declaration on the Right to Development and to the work of the open-ended working group on the right to development was being addressed to all treaty body Chairpersons and he would welcome comments and input from the Committee in that regard.

11. In the light of the tremendous growth in demands on conference servicing units in Geneva in recent years without a corresponding increase in resources, he urged the Committee to take measures such as to consider limiting the extent of written replies requested from States parties, as it had become increasingly difficult to ensure their translation, thus hindering the Committee's work.

12. He assured the Committee of the secretariat's full support during its current session, and expressed his appreciation for the work of the outgoing Bureau.

Solemn declaration by new members of the Committee

13. *Ms. Shin and Mr. Ribeiro Leão made the solemn declaration provided for in rule 13 of the Committee's rules of procedure.*

Election of the Chairperson and other officers of the Committee

14. **Mr. Texier** nominated Mr. Pillay for the office of Chairperson.

15. **Mr. Tirado Mejía, Mr. Kerdoun, Mr. Kedzia, Mr. Abdel-Moneim and Mr. Sadi** seconded the nomination.

16. *Mr. Pillay was elected Chairperson by acclamation.*

17. *Mr. Pillay took the Chair.*

18. **The Chairperson** invited nominations for the three offices of Vice-Chairperson.

19. **Mr. Riedel** nominated Mr. Schrijver.

20. **Mr. Abashidze** nominated Mr. Kedzia.

21. **Ms. Barahona Riera** nominated Mr. Tirado Mejía.

22. *Mr. Kedzia, Mr. Schrijver and Mr. Tirado Mejía were elected Vice-Chairpersons by acclamation.*
23. **The Chairperson** invited nominations for the office of Rapporteur.
24. **Mr. Dasgupta** nominated Mr. Sadi.
25. *Mr. Sadi was elected Rapporteur by acclamation.*

Adoption of the agenda (E/C.12/46/1)

26. *The agenda was adopted.*

Other matters

27. **The Chairperson** invited comments on the matters raised by Mr. Salama in his opening statement, and any other issues.
28. **Mr. Sadi** said that he had recently attended a meeting of the Committee on the Elimination of Discrimination against Women as part of the Jordanian delegation, and had been surprised by a lack of awareness of the activities of the Committee on Economic, Social and Cultural Rights with regard to women, in particular gender equality. He asked Mr. Salama if he could take any action to improve that situation.
29. **Mr. Schrijver** asked whether any elements of the assessment of the functioning of the universal periodic review mechanism related to or had any impact on the application of economic, social and cultural rights.
30. **Mr. Tirado Mejía** asked in what languages the consultation for States parties on 12 and 13 May 2011 in Sion would be held. It would be desirable for interpretation to be provided in all the official languages of the United Nations.
31. **Mr. Kerdoun** requested details on the activities to mark the twenty-fifth anniversary of the Declaration on the Right to Development and asked whether the Committee could contribute to them.
32. **Mr. Salama** (Director, Human Rights Treaties Division) said that he had sent a request to all the human rights treaty bodies two months previously for input to the current debate on the right to development. The Committee was in an excellent position to contribute to that discussion.
33. The consultation at the Château de Bossey on 7 May would be held in English, French and Spanish. Although professional interpreters could not be provided, informal arrangements would be made to ensure that the three languages could be used. As the consultation for States parties in Sion on 12 and 13 May was funded by extrabudgetary resources and was in a relatively distant place, it would be held in English and French only.
34. He would be surprised if the Committee on the Elimination of Discrimination against Women was not aware of the activities of the Committee on Economic, Social and Cultural Rights on gender-related issues, as such activities were recorded on the OHCHR website and were reported by the Women's Human Rights and Gender Unit to relevant actors. Insufficient promotion of the activities of committees was possibly a reflection of the lack of resources available to them and of the shortcomings of the current website. A new website was being constructed to combat that problem. He would discuss the particular case raised by Mr. Sadi with the Women's Human Rights and Gender Unit.
35. No changes had been made to the universal periodic review process that would have an impact on the work of the treaty bodies, except the extension of the reporting cycle to four and a half years. One of the agenda items for the consultation in Sion concerned the harmonization and mutual reinforcement of the work of the treaty bodies and the universal

periodic review. The idea of a master calendar for consideration of State party reports for all treaty bodies had been suggested. Such a calendar would ensure that member States had five years' notice about the deadline for submission of their reports, allow all stakeholders, in particular civil society organizations, to collect relevant information, and synchronize the consideration of State party reports by the treaty bodies ahead of the universal periodic review. He hoped that that idea would be discussed at the consultations in Château de Bossey and in Sion.

36. **Mr. Schrijver** said that the contribution of the Committee with regard to the right to development had been drafted by the Chairperson and the Rapporteur in November 2010. He asked the secretariat to circulate it to all members of the Committee.

The discussion covered in the summary record ended at 10.50 a.m.