

UN brings economic, social and cultural rights in from the Cold War

Amnesty International welcomes the adoption by the Human Rights Council of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Optional Protocol). The Optional Protocol will provide the opportunity for individuals seeking a remedy for violations of economic, social and cultural rights to have their complaints adjudicated by UN Committee on Economic, Social and Cultural rights.

This is an historic moment in the quest for ensuring access to justice for victims of human rights violations. Violations of economic, social and cultural rights, including rights to adequate housing, food, water and sanitation, as well as the rights to health and education, are felt most frequently and most severely by marginalised groups and people living in poverty.

Finally the United Nations has begun to effectively rectify the imbalance in universal protection of economic, social and cultural rights – a division based on the politics of a by-gone era. The promise of indivisibility of human rights, reflected in the adoption of the Universal Declaration of Human Rights (UDHR) sixty years ago and reiterated at the World Conference on Human Rights in Vienna in 1993, requires effective remedies for violations of all rights.

We believe the Optional Protocol could, and should, have been a stronger instrument, which built more closely on the experience of existing communications' mechanisms. Still we consider the agreed text is an honourable compromise that should serve as a catalyst for the development of effective remedies for violations of economic, social and cultural rights in all domestic justice systems.

From the exclusion of Romani children from education in many European countries, to the violation of housing rights in a number of African countries, Amnesty International has documented the need for increased legal protection and accountability for economic, social and cultural rights. We call on the all members of the UN to celebrate 60th anniversary of the UDHR with the adoption of the Optional Protocol, in its current form, by the General Assembly on the 10th of December 2008.