

**HATE AND DISCRIMINATION:
INTERNATIONAL STANDARDS
FROM THE PERSPECTIVE OF
UN COMMITTEE ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS(CESCR)**

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ICESCR: A CORE HUMAN RIGHTS TREATY

- **International Covenant on Economic, Social and Cultural Rights(ICESCR)**
 - Adopted by the UN General Assembly in 1966;
 - 171 States parties to the Covenant;
 - A State party has obligation to submit its report on the implementation to the Committee every 5 years;
 - National human rights institutions and NGOs can also submit alternative reports and participate in the Committee's consideration.

CESCR: MONITORING BODY

- **ICESCR monitored by the UN Committee on Economic, Social and Cultural Rights(CESCR)**
- 18 elected independent experts on the Committee;
- Meets twice a year, for three weeks each;
- Considers State party's reports and individual communications.

COVENANT RIGHTS

- Right to self-determination (art. 1)
- Right to non-discrimination (art. 2.2)
- Right to gender equality (art. 3)
- Right to work, just working conditions and trade union rights (art. 6, 7 & 8)
- Right to social security (art. 9)
- Right to family (art. 10)
- Right to adequate standard of living (food, clothing, housing, water and sanitation, environment) (art. 11)
- Right to health (art. 12)
- Right to education (art. 13 & 14)
- Right to cultural life (art. 15)

ICESCR: ARTICLES 2.2 AND 3

■ Article 2

2. The States Parties to the present Covenant undertake to guarantee that **the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.**

■ Article 3

The States Parties to the present Covenant undertake to ensure the **equal right of men and women to the enjoyment of all economic, social and cultural rights** set forth in the present Covenant.

- Non-discrimination, as an overarching and fundamental principle of human rights, applies to all Covenant rights.

COMMITTEE'S GENERAL COMMENT NO.20 ON NON-DISCRIMINATION

- In 2009, The Committee issued **General Comment No. 20 on non-discrimination in economic, social and cultural rights** (art.2.2)
 - “Non-discrimination and equality are fundamental components of international human rights law and essential to the exercise and enjoyment of economic, social and cultural rights.”(para. 2)
 - “The principles of non-discrimination and equality are recognized throughout the Covenant. ... the rights of “everyone” to the various Covenant rights such as ... the right to work, just and favourable conditions of work, trade union freedoms, social security, an adequate standard of living, health and education and participation in cultural life.”(para. 3)

NON-DISCRIMINATION: IMMEDIATE AND CROSS-CUTTING OBLIGATION

- States parties to the Covenant should eliminate:
 - formal discrimination
 - substantive discrimination
 - direct discrimination
 - indirect discrimination
 - systemic discrimination

NATIONAL IMPLEMENTATION 1

■ Legislation:

37. Adoption of legislation to address discrimination is indispensable in complying with article 2, paragraph 2. States parties are therefore encouraged to **adopt specific legislation that prohibits discrimination** in the field of economic, social and cultural rights. Such laws should aim at eliminating formal and substantive discrimination, attribute obligations to **public and private actors and cover the prohibited grounds** discussed above. Other laws should be **regularly reviewed and, where necessary, amended** in order to ensure that they do not discriminate or lead to discrimination, whether formally or substantively, in relation to the exercise and enjoyment of Covenant rights.

NATIONAL IMPLEMENTATION 2

■ Policies, plans and strategies

38. States parties should ensure that **strategies, policies, and plans of action are in place and implemented in order to address both formal and substantive discrimination by public and private actors** in the area of Covenant rights. Such policies, plans and strategies should address **all groups distinguished by the prohibited grounds** and States parties are encouraged, among other possible steps, to adopt **temporary special measures** in order to accelerate the achievement of equality. ... the State should conduct **human rights education and training programmes for public officials and make such training available to judges and candidates for judicial appointments**. Teaching on the principles of equality and non-discrimination should be integrated in formal and non-formal inclusive and multicultural education, with a view to **dismantling notions of superiority or inferiority based on prohibited grounds and to promote dialogue and tolerance** between different groups in society. States parties should also adopt appropriate preventive measures to avoid the emergence of new marginalized groups.

NATIONAL IMPLEMENTATION 3

■ Elimination of systemic discrimination

39. States parties must adopt an active approach to eliminating **systemic discrimination and segregation in practice**. Tackling such discrimination will usually require a comprehensive approach with a range of laws, policies and programmes, including **temporary special measures**. States parties should consider using incentives to encourage public and private actors to **change their attitudes and behaviour in relation to individuals and groups of individuals facing systemic discrimination, or penalize them in case of non-compliance**. Public leadership and programmes to raise awareness about systemic discrimination and the adoption of strict measures against incitement to discrimination are often necessary. Eliminating systemic discrimination will frequently require devoting greater resources to traditionally neglected groups. Given the persistent hostility towards some groups, particular attention will need to be given to ensuring that laws and policies are implemented by officials and others in practice.

NATIONAL IMPLEMENTATION 4

■ Remedies and accountability

40. National legislation, strategies, policies and plans should provide for **mechanisms and institutions that effectively address the individual and structural nature of the harm** caused by discrimination in the field of economic, social and cultural rights. Institutions dealing with allegations of discrimination customarily include **courts and tribunals, administrative authorities, national human rights institutions and/or ombudspersons**, which should be accessible to everyone without discrimination. These institutions should adjudicate or investigate complaints promptly, impartially, and independently and address alleged violations relating to article 2, paragraph 2, including actions or omissions by private actors. ... **These institutions should also be empowered to provide effective remedies, such as compensation, reparation, restitution, rehabilitation, guarantees of non-repetition and public apologies**, and State parties should ensure that these measures are effectively implemented. ...

NATIONAL IMPLEMENTATION 5

■ Monitoring, indicators and benchmarks

41. States parties are obliged to monitor effectively the implementation of measures to comply with article 2, paragraph 2, of the Covenant. Monitoring should **assess both the steps taken and the results achieved in the elimination of discrimination**. National strategies, policies and plans should use **appropriate indicators and benchmarks, disaggregated on the basis of the prohibited grounds of discrimination**.

ENJOYMENT OF COVENANT RIGHTS WITHOUT DISCRIMINATION

- The Committee has been examining how each State party implements non-discrimination, based on article 2.2 of the Covenant.
- Discrimination in law, as well as discriminatory behaviors and hate speeches are problematic.

IMPLEMENTATION OF NON-DISCRIMINATION

- Legal framework to prohibit discrimination, including hate speech
 - Comprehensive anti-discrimination legislation
 - Intersectionality of discrimination
- National human rights institution to receive complaints in case of discrimination
 - NHRI in compliance with Paris Principles: “A” status only
- Remedies for the victims
- Nation-wide public awareness programs and campaigns

INDIVIDUALS AND GROUPS OFTEN DISCRIMINATED

- Women
 - Persons with disability
 - Ethnic/national/linguistic/religious minorities
 - Migrant workers
 - Immigrants and their descendants
 - Sexual minorities: LGBTI persons
 - HIV/AIDS patients
 - Indigenous peoples
 - Albinos
- * Any individuals and groups who are perceived as different.

TYPICAL AREAS OF DISCRIMINATION

- Physical violence, bullying and hate speech
- Employment
- Housing
- Health services
- Education
- Transportation

EXAMPLES OF CESCR'S CONCLUDING OBSERVATIONS: TO BELGIUM (CONSIDERED ON 19-20 FEB. 2020)

■ Non-discrimination

18. The Committee notes the establishment, in 2016, of the Commission for the evaluation of **federal anti-discrimination legislation**, whose mandate is to assess federal laws against discrimination, racism and gender discrimination. The Committee is nonetheless concerned at the **inadequate implementation** of the 33 recommendations contained in the Commission's first report, issued in 2017, and by the **lack of a complaint mechanism for language discrimination** (art. 2).

19. The Committee requests the State party to implement the recommendations issued by the Commission for the evaluation of federal anti-discrimination legislation. It also recommends that the State party designate a body responsible for addressing complaints of language discrimination. In this connection, the Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

■ Roma people

20. The Committee notes with concern the shortcomings in the implementation of the national strategy for the integration of Roma people and the **absence of specific measures to combat discrimination against the Roma community, in particular Roma women and children**. The Committee is also concerned about **persistent antigypsyism** (art. 2).

21. The Committee recommends that the State party ensure effective implementation of the national strategy for the integration of Roma people, through the adoption of an inter-federal action plan including specific measures for Roma women and children and receiving a specific and adequate budget. It also recommends the adoption of an inter-federal action plan to combat antigypsyism.

■ Migrants, refugees and asylum seekers

22. The Committee is concerned at the **persistence of discrimination against migrants**, in particular those **from outside the European Union**, as regards their **access to employment, housing, health care and adequate food**. The Committee is particularly concerned about the labour exploitation of migrants and refugees in physically demanding, low-skilled work sectors (art. 2).

23. The Committee recommends that the State party strengthen the measures taken to prevent discrimination against migrants, refugees and asylum seekers in the enjoyment of their economic and social rights. It also recommends that the State party ensure the effectiveness of its laws to combat discrimination in the workplace, especially in the private sector, and in access to housing. It further recommends that the State party guarantee a decent standard of living for asylum seekers, including in the event of subsequent applications or disciplinary action. In this regard, the State party is referred to the Committee's statement on duties of States towards refugees and migrants under the Covenant (E/C.12/2017/1), adopted in 2017.

■ Persons with disabilities

24. The Committee is concerned at the lack of disaggregated statistical data on the employment of persons with disabilities. In addition, it is concerned at the **very low employment rate for persons with disabilities** and the low employment rate for persons with disabilities in the public sector, which is well below the quotas and targets set by the public authorities (art. 2).

25. The Committee recommends that the State party take the measures necessary to facilitate access to employment for persons with disabilities by: (a) guaranteeing reasonable accommodation for persons with disabilities in the labour market; (b) ensuring compliance with the quotas set by the public authorities; and (c) supporting private companies to promote the recruitment of persons with disabilities. The Committee also recommends that the State party collect disaggregated statistical data on persons with disabilities in the labour market.

■ Equality between men and women

26. The Committee is concerned at discrimination against women in the economic and social spheres, especially the **persistent wage gap between men and women and the obstacles faced by women in gaining access to decision-making positions** in the public and private sectors. The Committee is also concerned at the lack of recognition of the situations of intersectionality affecting women in the most marginalized segments of society (art. 3).

27. The Committee recommends that the State party intensify its efforts to achieve substantive equality between men and women and, in particular, that it:

- (a) Effectively implement the Act of 22 April 2012 aimed at reducing the wage gap between men and women, and its amendment of 12 July 2013;
- (b) Continue to promote increased representation of women at all levels of the public administration, particularly in decision-making positions, and promote their participation in management roles in the private sector;
- (c) Ensure equitable parental leave and take the measures necessary to increase the capacity of childcare services;
- (d) Take into consideration its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights, especially in situations of intersectionality.

CONCLUDING OBSERVATIONS: TO ECUADOR (CONSIDERED ON 3-4 OCT. 2019)

■ Non-discrimination

25. The Committee is concerned about the **absence of a general law establishing a comprehensive list of prohibited grounds of discrimination**. The Committee is also concerned about the inefficiency of the social expenditure classification system in gauging equality. Lastly, it is concerned about the **persistence of de facto systemic discrimination and manifestations of violence** against some population groups, in particular **women, indigenous peoples, people of African descent, Montubio people, rural populations, migrants and lesbian, gay, bisexual, transgender and intersex persons**, among others (art. 2 (2)).

26. The Committee recommends that the State party promote the adoption of a general non-discrimination law that reflects all prohibited grounds of discrimination. The Committee encourages the State party to take measures to document formal and substantive discrimination in the State party and to report on the impact of measures taken. Lastly, the Committee encourages the State party to take the necessary steps to give effect to the decision of the Constitutional Court of Ecuador on equal civil marriage rights. The Committee draws the State party's attention to its general comment No. 20 (1998) on non-discrimination in economic, social and cultural rights.

■ Migrants

27. While the Committee appreciates the State party's efforts in hosting a large number of migrants, it is concerned about the exclusionary effect of administrative requirements, in particular the **requirement that an applicant must have a passport in order to obtain a humanitarian visa**, which disproportionately affects migrants in vulnerable situations. The Committee is also concerned at the obstacles to the enjoyment by migrants of the rights enshrined in the Covenant. Lastly, the Committee notes with concern that there have been expressions of xenophobia and violent attacks against migrants (art. 2 (2)).

28. The Committee recommends that the State party adopt a simplified procedure to facilitate the regularization of migrants and relax the passport requirement for persons in vulnerable situations, especially unaccompanied minors. The Committee recommends that the State party take the necessary measures to ensure that migrants, including migrants in an irregular situation, enjoy the rights enshrined in the Covenant.

CONCLUDING OBSERVATIONS: TO SENEGAL (CONSIDERED ON 7-8 OCT. 2019)

■ Non-discrimination

12. The Committee notes with concern the existence of discriminatory legal provisions in Senegalese law. It also notes the **lack of a general law prohibiting all forms of direct and indirect discrimination**. The Committee is concerned about the persistence of **discrimination against certain individuals on the basis of their sex, skin colour (albinism), descent or sexual orientation** (art. 2).

13. The Committee recommends that the State party adopt comprehensive legislation on non-discrimination that: (a) clearly defines and criminalizes direct and indirect discrimination; (b) gives a comprehensive list of prohibited grounds of discrimination, including descent and colour, sexual orientation, gender identity, disability, residence status and other status; and (c) provides effective remedies for victims. The Committee urges the State party to decriminalize consensual homosexual relations and repeal article 319 (3) of the Criminal Code, along with all other legal provisions that are discriminatory with regard to sexual orientation or gender identity. The Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

■ Equality between men and women

14. The Committee takes note of the steps taken by the State party, including the adoption of Act No. 2010-11 on gender parity and the establishment of the National Observatory on Gender Parity. However, it remains concerned **that the Act is not enforced throughout the country**. It is also concerned that the **Act does not ensure the participation of women in all decision-making positions**, including at the national and local government levels. The Committee is further concerned about the **persistence of discriminatory provisions against women in the Family Code and the Social Security Code** (art. 3).

15. The Committee urges the State party to bring its legislation into line with the requirement of gender equality. In particular, it recommends that the State party repeal: (a) the relevant provisions of the Family Code, including article 152 on paternal authority but also provisions relating to the choice of marital home, the minimum age for marriage, and the ban on legal action to establish paternity and inheritance rights; and (b) article 21 of the Social Security Code, under which child benefits are allocated only to the father. The Committee recommends that the State party ensure that Act No. 2010-11 on gender parity is enforced throughout the country and that it extend the Act to cover all positions, including appointed positions. The Committee draws the attention of the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.

CONCLUDING OBSERVATIONS: TO REP. OF KOREA (CONSIDERED ON 20-21 SEPT. 2017)

■ Non-discrimination legislation

22. The Committee is concerned at the **delay in the adoption of comprehensive anti-discrimination legislation**, especially in view of the fact that the State party's Constitution prohibits discrimination only on the grounds of sex, religion and social status. It is further concerned that the State party has not taken sufficiently proactive and effective steps to build consensus around the prohibited grounds of discrimination among the population (art. 2 (2)).

23. The Committee reiterates the urgency of adopting comprehensive anti-discrimination legislation and recommends that the State party raises awareness among the population and legislators about the harmful effect of discrimination on the protection of human dignity and the equal enjoyment of human rights. The Committee refers the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

■ Discrimination on the grounds of sexual orientation and gender identity

24. The Committee is concerned at the **criminalization of same-sex acts in the military criminal act**. The Committee is also concerned that the persons involved in same-sex relationships are exposed to discrimination in the enjoyment of several Covenant rights. Moreover, it is concerned at reports of **discriminatory attitudes and acts against lesbian, gay, bisexual, transgender and intersex persons in many fields of public life** (art. 2 (2)).

25. The Committee recommends that the State party take effective measures to eliminate de jure and de facto discrimination against lesbian, gay, bisexual, transgender and intersex persons. In particular, it recommends that the State party:

(a) Abrogate the provision of the military criminal act, which criminalizes same-sex acts;

(b) Revise legal and regulatory provisions that are discriminatory or have a discriminatory effect, such as those relating to social security, reproductive health and housing;

(c) Ensure that the comprehensive anti-discriminatory law to be adopted also prohibits discrimination on the grounds of sexual orientation and gender identity;

(d) Conduct awareness-raising campaigns to counter prejudices regarding lesbian, gay, bisexual, transgender and intersex persons.

■ Non-nationals

26. The Committee is concerned that the rights contained in the State party's Constitution are accorded only to citizens and about the ruling by the Constitutional Court that **non-citizens are not entitled to the full set of social rights**. In particular, the Committee is concerned that non-citizens are excluded from the State party's **social security system and public services**, including those relating to **birth registration and to the protection of victims of abuse** (art. 2 (2)).

27. The Committee recommends that the State party take the necessary measures to ensure that the Covenant rights are exercised without discrimination on account of national origin. In particular, it urges the State party to allow non-nationals to enrol in its national social security system and benefit from welfare services, and ensure the universal birth registration of children, irrespective of the status of the parents. The Committee refers the State party to its statement dated 13 March 2017 on the duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights (E/C.12/2017/1).

CONCLUDING OBSERVATIONS: TO JAPAN (CONSIDERED ON 30 APRIL 2013)

■ Legal discrimination

10. The Committee notes with concern that **provisions which are discriminatory towards women, children born out of wedlock and same-sex couples** continue to exist in the State party's legislation insofar as Covenant rights are concerned, in spite of the State party's efforts to ensure compliance with its obligations under the Covenant when undertaking legislative revisions (art. 2(2)).

The Committee urges the State party to review in a comprehensive manner and, where necessary, amend its laws to ensure that they do not directly or indirectly discriminate in relation to the exercise and enjoyment of the Covenant rights.

- **Comprehensive legislation prohibiting all grounds of discrimination**

11. The Committee notes with concern that the State party's **legislation does not provide full protection against discrimination on the grounds prohibited by the Covenant**, in spite of the existence of legislative provisions on non-discrimination in areas such as employment (art. 2(2)).

The Committee calls on the State party to ensure that its laws effectively prohibit and provide sanctions for discrimination in all fields of economic, social and cultural rights, in line with the Covenant provisions. In this regard, the Committee encourages the State party to adopt comprehensive legislation on non-discrimination aimed at eliminating formal and substantive discrimination and providing for the implementation of special measures. The Committee also refers the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

■ Pay gap between men and women

19. The Committee notes with concern that the **pay gap, in particular between men and women**, remains considerable in the State party, in spite of progress made (art. 7).

The Committee calls on the State party to raise awareness of the illegality of the application of different rates for men and women for work of equal value and of the obligation of employers in this regard to provide accessible and effective remedies in case of discrimination in remuneration. The Committee also recommends that the State party train labour inspectors in the application of the principle of equal remuneration for work of equal value and take other measures to ensure effective enforcement of applicable legislation.

■ “Comfort women” and hate speech

26. The Committee is concerned about **the lasting negative effects of the exploitation to which “comfort women” were subjected** on their enjoyment of economic, social and cultural rights and their entitlement to reparation (arts. 11 and 3).

The Committee recommends that the State party take all necessary measures to address the lasting effects of the exploitation and to guarantee the enjoyment of economic, social and cultural rights by “comfort women”. The Committee also recommends that the State party **educate the public** on the exploitation of “comfort women” so as **to prevent hate speech and other manifestations of hatred that stigmatize them.**

■ Discrimination against Korean schools

27. The Committee is concerned at the **exclusion of Korean schools from the State party's tuition fee waiver programme** for high school education, which constitutes discrimination (arts. 13 and 14).

Recalling that the prohibition against discrimination applies fully and immediately to all aspects of education and encompasses all internationally prohibited grounds of discrimination, the Committee calls on the State party to ensure that the tuition fee waiver programme for high school education is extended to children attending Korean schools.

CONCLUDING OBSERVATIONS: TO CHINA (CONSIDERED ON 8 MAY 2013)

■ Non-discrimination

14. Despite the incorporation of the principle of non-discrimination in the State party's Constitution and in other laws, the Committee regrets that the State party **does not have a comprehensive anti-discrimination law** that protects all marginalized and disadvantaged individuals and groups in their enjoyment of economic, social and cultural rights. Furthermore, the Committee is concerned about the **persistent and widespread discrimination against ethnic minorities, particularly in the western provinces and regions, especially in the fields of employment, social security, housing, health and education**, in spite of efforts taken by the State party (art. 2.2).

The Committee urges the State party to take all necessary measures to adopt comprehensive anti-discrimination legislation in line with article 2, paragraph 2, of the Covenant. The Committee recommends that the State party strengthen its efforts to combat all forms of discrimination against ethnic minorities, particularly in the western provinces and regions, and to ensure their enjoyment of all economic, social and cultural rights, including legal work, social security, adequate housing, public health care, and education. In this regard, the Committee draws the State party's attention to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

■ Household registration system

15. While noting that the State party has taken some measures to reform the household registration system (*hukou*) and progressively align the situation of rural-to-urban migrant workers with that of urban residents, the Committee remains concerned that **these migrant workers, particularly those who lack household registration, continue to be de facto discriminated against in the fields of employment, social security, health care and education.** The Committee is deeply concerned that, reportedly, owing to the *hukou* system, an estimated number of 55 to 60 million children have been left behind by their parents in the rural areas (arts. 2, para.2; and 10).

The Committee reiterates its previous recommendation (E/C.12/1/Add.107, para. 46) and calls upon the State party to strengthen its efforts to abolish the household registration system (*hukou*) and to ensure that all rural-to-urban migrants are able to enjoy the work opportunities, as well as social security, housing, health and education benefits, enjoyed by residents in urban areas. The Committee urges the State party to take all necessary effective family-support measures to avoid the separation of children from their family environment and to ensure that children, particularly those from rural areas, can be raised by their parents.

■ Persons with HIV/AIDS

34. Despite the adoption of regulations to eliminate the persistent **discrimination against persons affected by HIV/AIDS, the Committee is concerned that persons living with HIV/AIDS still face social stigmatization from the public at large, as well as discrimination in employment, in education and, particularly, in access to health care, including refusal of treatment.** The Committee is also concerned about the lack of adequate measures taken by the State party to prevent HIV/AIDS and other infectious diseases, particularly in rural areas (arts. 2, para. 2; and 12).

The Committee recommends that the State party:

- (a) Take effective measures to repeal or amend laws and policies that perpetuate the stigmatization and rejection of persons living with HIV/AIDS and adversely impact on any progress made in combating HIV;**
- (b) Take all necessary measures to ensure the appropriate access of persons living with HIV/AIDS to health care, employment and education on an equal basis with others;**
- (c) Take adequate measures to prevent the spread of HIV/AIDS, in particular among groups at risk and in rural areas;**
- (d) Undertake awareness-raising activities aimed at promoting understanding of the modes of transmission of HIV and tolerance towards persons living with HIV/AIDS among medical staff, employers and the population at large and measure the impact thereof.**

■ Cultural rights of ethnic minorities

36. The Committee is concerned that **ethnic minorities continue to face severe restrictions** in the realization of their right to take part in cultural life, including the **right to use and teach minority languages, history and culture, as well as to practise their religion** freely. Despite the measures adopted by the State party, the Committee is concerned about the restrictions faced by **Tibetans and Uighurs**, in particular regarding the restriction of education in the Tibetan and Uighur languages (art. 15).

The Committee recommends that the State party take all necessary measures to ensure the full and unrestricted enjoyment by minorities, including Tibetans, Uighurs and Inner Mongolians, of their right to enjoy fully their own cultural identity and take part in cultural life, and to ensure the use and practice of their language and culture. The Committee also recommends that the State party take adequate measures to protect cultural diversity and promote awareness of the cultural heritage of ethnic, religious and linguistic minorities.

■ **Respect for rights of labour and human rights activists and their lawyers**

38. The Committee is concerned at reports of instances where **labour and human rights activists, and their lawyers, have been victims of repression and reprisals** when taking up cases of violations of economic, social and cultural rights (arts. 2, 10, 12 and 13).

The Committee urges the State party to protect human rights and labour activists, as well as their lawyers, against any form of **intimidation, threat or retaliation for taking up cases** of violations of economic, social and cultural rights, and to ensure full respect for their own economic, social and cultural rights. The Committee also urges the State party to guarantee that human rights and labour activists, as well as their lawyers, have adequate access to health care in all circumstances, and that their children fully enjoy the right to education. The Committee also calls on the State party to ensure that all allegations of reprisals and abuse are promptly and thoroughly investigated, and that perpetrators are brought to justice.

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The Committee on Economic, Social and Cultural Rights (CESCR) is the body of 18 independent experts that monitors implementation of the International Covenant on Economic, Social and Cultural Rights by its States parties. The Committee was established under ECOSOC Resolution 1985/17 of 28 May 1985 to carry out the monitoring functions assigned to the United Nations Economic and Social Council (ECOSOC) in Part IV of the Covenant.

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- **Thank you!**

- **Questions are welcome!**