

Introduction to the International Human Rights Instruments and Mechanisms I (UN)

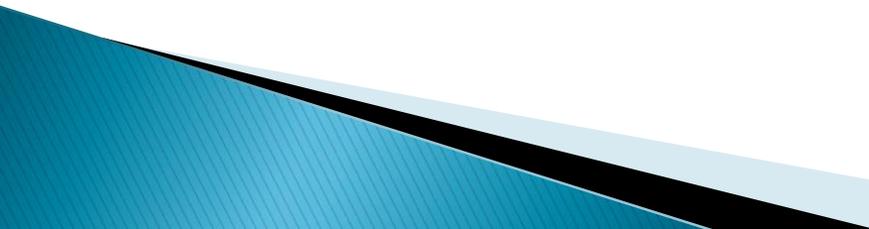
(Social, Economic and Cultural Rights)

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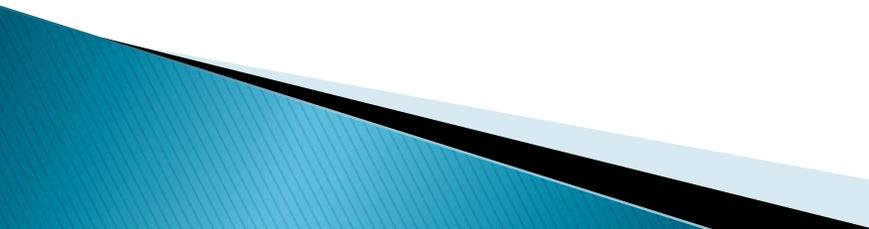
THE CORE INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

The Monitoring Bodies

- ▶ There are nine core international human rights treaties. Each of them has established a committee of experts to monitor implementation of the treaty provisions by its States parties. Some of the treaties are supplemented by optional protocols dealing with specific concerns.
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- ▶ International Convention on the Elimination of All Forms of Racial Discrimination, 1965
CERD
 - ▶ International Covenant on Economic, Social and Cultural Rights, 1966 CESCR
 - ▶ Optional Protocol to the Covenant on Economic, Social and Cultural Rights, 2008
CESCR
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- ▶ International Covenant on Civil and Political Rights, 1966 [CCPR](#).
 - ▶ Optional Protocol to the International Covenant on Civil and Political Rights, 1966 [CCPR](#).
 - ▶ Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, 1989 [CCPR](#).
 - ▶ Convention on the Elimination of All Forms of Discrimination against Women, 1979 [CEDAW](#).
 - ▶ Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999 [CEDAW](#).
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- ▶ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 [CAT](#)
 - ▶ Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2002 [SPT](#)
 - ▶ Convention on the Rights of the Child, 1989 [CRC](#)
 - ▶ Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000 [CRC](#)
 - ▶ Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000 [CRC](#)
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- ▶ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990 [CMW](#)
 - ▶ International Convention for the Protection of All Persons from Enforced Disappearance, 2006 [CED](#)
 - ▶ Convention on the Rights of Persons with Disabilities, 2006 [CRPD](#)
 - ▶ Optional Protocol to the Convention on the Rights of Persons with Disabilities, 2006 [CRPD](#)
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The Committee on Economic, Social and Cultural Rights (CESCR)

- ▶ The Committee on Economic, Social and Cultural Rights (CESCR) is the body of independent experts (18 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.

- ▶ All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. States must report initially within two years of accepting the Covenant and thereafter every five years. The Committee examines each report and addresses its concerns and recommendations to the State party in the form of “concluding observations”.
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- ▶ In addition to the reporting procedure, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights , which entered into force on 5th May 2013, provides the Committee competence to receive and consider communications from individuals claiming that their rights under the Covenant have been violated. The Committee may also, under certain circumstances, undertake inquiries on grave or systematic violations of any of the economic, social and cultural rights set forth in the Covenant, and consider inter-State complaints.

- ▶ The Committee meets in Geneva and normally holds two sessions per year, consisting of a three-week plenary and a one-week pre-sessional working group.
- ▶ The Committee also publishes its interpretation of the provisions of the Covenant, known as general comments.