



**Call for Action to civil society in ECOSOC member countries to get involved in the elections process of the members of the Committee on Economic, Social and Cultural Rights.**

*The Coalition of NGO-s for an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Optional Protocol to the ICESCR) calls upon organizations present in ECOSOC's member countries to influence their governments to vote only for independent and capable members to the Committee on Economic, Social and Cultural Rights.*

As you are already aware, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Optional Protocol) was opened for signature on September 24, 2009. It has already been signed by 31 States and will enter into force after 10 of them complete the required legal procedures (ratification or accession) to be bound by the treaty. Once the Optional Protocol enters into force, it will allow women, children, migrants, Indigenous peoples and anyone whose economic, social and cultural rights have been violated to present a complaint before the Committee on Economic, Social and Cultural Rights (Committee), the United Nations body responsible for supervising State's compliance with all the rights protected in the Covenant. In this respect, it is very important that the Committee enjoys the necessary capability and expertise to deal with such complaints and be able to issue professional and independent recommendations to the alleged violating States, for providing effective remedies to victims.

The members of the Committee are elected by the UN Economic and Social Council (ECOSOC.) The term of **9 of the 18** members of the Committee expires on 31 December 2010 and the **upcoming elections of new members will take place** during the resumed organizational meeting of ECOSOC, from **28 to 29 April 2010, New York**. Although international human rights treaties require members of the treaty bodies to be "independent" experts, States Parties too often nominate and elect individuals who are holding executive positions in their government. In addition, some individuals have limited background or experience relevant to the ESCR field. The composition of the Committee is also very unbalanced in terms of gender (only 3 of the 18 current members are women). Additional weaknesses relate to the election process by ECOSOC. Elections by states parties for individuals to serve on international expert bodies take place through secret balloting and often after vote-trading and endorsement of candidates by regional groups, providing limited possibilities for competition, thus making the election process nontransparent. Such practices by states parties have a negative impact on the overall quality, effectiveness, reputation and impact of the Committee.

Some of these weaknesses were reflected during the last nomination process, concluded in 26 January, where only 15 candidates were nominated (all 9 members whose term expires are being nominated for re-election) thus limiting the opportunity for a real and transparent competition, based on the merits and experience of the candidates. A full list of the current candidates and information about their background and regional distribution can be found at: <http://www2.ohchr.org/english/bodies/cescr/elections2010.htm>

Given the importance of the Committee's composition for the proper application of the Optional Protocol, the Coalition of NGO-s for an Optional Protocol to the ICESCR (Coalition), in the framework of its campaign "JUSTICE NOW! RATIFY TO PROTECT ALL HUMAN RIGHTS!", is trying to target the ECOSOC member countries and positively influence the voting process. The NGO Coalition does not intend to take a position for or against individuals nominated or elected to serve as members of the Committee. However we encourage ECOSOC members to elect only qualified, independent and capable candidates and to consider the issue of gender balance.

The Coalition calls on your organization to carry out the following recommended actions:

**\*Target:** Ministry of Foreign Affairs or other relevant Ministerial-level authority.

**\*Key message:** encourage your country to vote only for candidates who meet the criteria of independence and impartiality and who are experts in the field of economic, social and cultural rights. The requirement for a gender balance should also be taken into consideration.

**\*Timing:** Please take action as early as possible, bearing in mind that the election process will take place from 28 to 29 April 2010.

In addition, you could:

- Provide information to the government on the current candidates, their background and experience in ESC rights, based on their resume, published in the Office of High Commissioner for Human Rights Website: <http://www2.ohchr.org/english/bodies/cescr/elections2010.htm>
- After your initial contact, request a meeting with high-level representatives of your government and/or regularly follow up with relevant contacts in the Ministerial administration to encourage the government to identify and vote for the candidates that fulfill these criteria.
- Contact members of parliament and ask them to raise questions with the government about the voting process of the candidates.
- Contact your national human rights institution to seek their support for putting pressure on the government for this process.

- Finally, the Coalition encourages your organization to support the ratification campaign of the Optional Protocol to the ICESCR by influencing your government to sign the OP, and if it has done so, to ratify it as soon as possible.

### Feedback

Your feedback is very important to us. Please get back to us to let us know:

- If you have been able to take action and if so, what.
- The response of your government.
- About the intention of your Government to sign or ratify the OP.

For more information on the election process of the Committee and the list of candidates you may visit:

<http://www2.ohchr.org/english/bodies/cescr/elections2010.htm> and [http://www.escr-net.org/actions/actions\\_show.htm?doc\\_id=1067615](http://www.escr-net.org/actions/actions_show.htm?doc_id=1067615)

The list of ECOSOC member countries is available at:

<http://www.un.org/en/ecosoc/about/members.shtml>

For more information on the Campaign [JUSTICE NOW! RATIFY TO PROTECT ALL HUMAN RIGHTS!](#) you may visit: [http://www.escr-net.org/actions/actions\\_show.htm?doc\\_id=940624](http://www.escr-net.org/actions/actions_show.htm?doc_id=940624)

If you would like to learn more about the Coalition and are interested to join, please visit: [http://www.escr-net.org/actions/actions\\_show.htm?doc\\_id=940687&attrib\\_id=13453](http://www.escr-net.org/actions/actions_show.htm?doc_id=940687&attrib_id=13453) and fill in our application form.

Please send your feedback to: [op-coalition@escr-net.org](mailto:op-coalition@escr-net.org) +1 (212) 681 1236 Ext 26.

Steering Committee of the Coalition

Amnesty International;

Centre on Housing Rights and Evictions (COHRE), Switzerland

Community Law Centre, South Africa

FoodFirst Information and Action Network (FIAN), Germany

Inter-American Platform of Human Rights, Democracy and Development (PIDHDD), Paraguay

International Commission of Jurists (ICJ), Switzerland

International Federation for Human Rights (FIDH), France

International Network for Economic, Social and Cultural Rights (ESCR-Net), United States

International Women's Rights Action Watch - Asia Pacific (IWRAP Asia Pacific), Malaysia

Social Rights Advocacy Center (SRAC), Canada