

## Securing Economic, Social and Cultural Rights

Every person has human rights to education, work in just and favorable conditions, the highest attainable standard of physical and mental health, adequate housing and food, water and sanitation, and social security, among other rights, without discrimination and on the basis of equality. These rights are outlined in the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, a UN treaty that has been ratified by over 160 countries over the past five decades. These countries have legal obligations to respect, protect and fulfill these rights, which have also been recognized in many regional treaties and national constitutions. Ongoing struggles for justice have advanced the realization of these rights. However, these rights are not yet a reality for all.



# Join the NGO Coalition for the OP-ICESCR!

The NGO Coalition for the OP-ICESCR—uniting over 300 civil society organizations across more than 70 countries—leads the global ratification campaign: Justice Now! Ratify to Protect all Human Rights! We need all countries to ratify and ensure access to justice for their people.

Join us and take action!

Information is available at:



Website: [www.escr-net.org/op-icescr](http://www.escr-net.org/op-icescr)

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The Optional Protocol to the  
International Covenant on  
Economic, Social and  
Cultural Rights:  
**A Tool for  
Demanding  
Our Rights**

**Justice NOW! Ratify to  
Protect all Human Rights**

CAMPAIGN FOR THE RATIFICATION AND IMPLEMENTATION  
OF THE OPTIONAL PROTOCOL TO THE INTERNATIONAL  
COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS



## Optional Protocol to the ICESCR (OP-ICESCR)

The UN General Assembly took an important step by adopting the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) on 10 December 2008, **creating a means for individuals or groups of individuals to access justice at the international level.** The OP-ICESCR entered into force on 5 May 2013, after the first ten countries ratified the treaty. This was a historic moment, providing access to justice for all human rights—civil, economic, political, social, and cultural—at the international level and reaffirming the interdependence of all rights in people’s lives.

The UN Committee on Economic, Social and Cultural Rights issued recommendations in its first case in September 2015, involving the right to housing.



## Why Is the OP-ICESCR valuable for people?

This OP-ICESCR provides a mechanism for justice at the international level. When people cannot access justice in the courts of their country for violations of economic, social and cultural rights (ESCR), they can bring a complaint to the UN Committee on ESCR. However, their country must first become a party to the OP-ICESCR treaty through ratification or accession.

The OP-ICESCR is also a powerful tool for advocacy. All States parties to the ICESCR have the obligation to respect, protect and fulfill ESCR. The OP-ICESCR reinforces that all rights violations must have a remedy, foremost in their own country, but at the international level if necessary. The OP-ICESCR gives advocates a **tool to push for improvements in their own judiciary system, as well as for laws and policies that secure and advance ESCR.**



## Why Is the OP-ICESCR important for governments?

The recommendations of the UN Committee on ESCR are valuable for governments in understanding their human rights obligations under the ICESCR. In hearing complaints, the Committee is guided by the standard of “reasonableness” developed in South African courts, which expects the government to take concrete and non-discriminatory steps to secure human rights, but recognizes the different conditions of countries and provides discretion in how the government advances these rights.

Countries from Africa, Asia, Europe and Latin America have already ratified the OP-ICESCR. These countries have reaffirmed their commitment and obligation to respect, protect and fulfill human rights, including ensuring access to justice.