**ESCR-NET CASE SELECTION TABLE**

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| **Case overview** | | |
|  | Case name/reference |  |
|  | Jurisdiction |  |
|  | Thematic focus |  |
|  | ESCR-Net’s proposed role and members involved |  |
|  | Case contact(s) |  |
|  | Case origin |  |
| **Case summary** | | |
|  | Case summary |  |
|  | Case status |  |
|  | Strategic importance |  |
|  | Case strategy |  |
|  | Challenges |  |
| **Impact and implementation** | | |
|  | Potential beneficiaries |  |
|  | Expected impact |  |
|  | Measuring impact |  |
|  | Wider advocacy strategy |  |
| **Synergies** | | |
|  | Connection with ESCR-Net working groups or projects |  |
|  | Connection with other litigation or advocacy initiatives/processes |  |

**Guidance to completing case selection table**

**Purpose:**

* To provide a clear overview of cases for the purpose of case selection, in a consistent format that can be easily circulated among the SL WG members (and others when relevant)
* To provide an opportunity to identify synergies with other ESCR-Net working groups and/or other initiatives or processes
* To provide a clear record of case selection and significance, and to enable an ongoing review of cases over time (for example, following judgment, during implementation, and to aid any subsequent research on impact)

**Specific guidance:**

(to be read in conjunction with [Guidelines for Case Selection for the CESCR](https://www.escr-net.org/sites/default/files/guidelines_for_selection_of_cases_.pdf))

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| --- | --- |
| **Case overview** | |
| 1. Case name/reference | *Official name of case and court number (if applicable)* |
| 1. Jurisdiction | *Indicate decision-making body before which the case is being litigated (e.g. which court, tribunal, UN treaty body, etc)* |
| 1. Thematic focus | *Indicate primary thematic focus of case. (Refer to themes on ESCR-Net’s caselaw database if helpful.)[[1]](#footnote-1)* |
| 1. ESCR-Net’s proposed role | *For example: third party intervener/amicus curiae; advisors to lawyers/NGO acting for claimants; co-representative; wider advocacy role (e.g. promotion of case, urgent action, media etc); other.*  *Which members are involved and in what ways?* |
| 1. Case contact(s) | *Indicate the names, contact details, and roles of partners who are participating in any aspect of the case, including advocacy and capacity building* |
| 1. Case origin | *Indicate how the case came to ESCR-Net (e.g. through an OP-ICESCR workshop, through a member, etc)* |
| **Case summary** | |
| 1. Case summary | *Provide the main facts of the case including information about:*   * *The parties* * *The key human rights engaged by the situation* * *The key arguments/issues raised* * *The case objective/remedies sought (if known)*   *Attach relevant case documents, if available* |
| 1. Case status | *Indicate the current status of the case (e.g. pending, judgment, etc), and any relevant upcoming deadlines* |
| 1. Strategic importance | *Provide a narrative description of the strategic importance of the case to advancing domestic, regional or global ESC rights. Indicate the legal rationale or motivation for ESCR-Net to engage with this particular case. For example, consider whether the case involves:*   * *Existence of a legal gap (where there is no relevant law, or existing laws provide inadequate protection against a particular violation)* * *Lack of enforcement of existing laws, policies or practices* * *Underrepresented group (in terms of its access to human rights protection, engagement in the political and/or judicial system, or inclusion in wider human rights frameworks)* * *Widespread and systematic violations* * *Existence of applicable international and comparative law (relevant to interpreting/advancing human rights obligations)* * *Opportunity to influence judicial standards and increase awareness of mechanism (for example, standard of review, interpretation of particular concepts, practical use of mechanism)*   *How would ESCR-Net’s involvement add value?* |
| 1. Case strategy[[2]](#footnote-2) | *Provide a narrative description of:*   * *The key arguments that ESCR-Net could make in connection with its role in the case* * *The legal standards and international and comparative material that would be useful in supporting such arguments* * *Potential remedial strategy* * *Options for, and merits of, subsequent decision-making bodies (if the case is progressing to a higher level)* * *Gender/intersectional issues and strategy* |
| 1. Challenges | *Indicate actual or potential challenges or obstacles to the successful outcome of the case and/or ESCR-Net’s role in the case (e.g. evidentiary issues, backlash, resources, etc)* |
| **Impact and implementation** | |
| 1. Potential beneficiaries | *Indicate which target groups will be affected by the case, including numbers of potential beneficiaries (at domestic and regional levels), and information/data source. Consider gender implications.* |
| 1. Expected impact | *Indicate anticipated legal, social, political and/or economic impact, considering (among others):*   * *Domestic/regional/international law, policy and practice* * *Public opinion* * *Advocacy initiatives* * *Potential application of judgment in other jurisdictions facing similar violations/obstacles* |
| 1. Process for facilitating implementation and measuring impact | *Indicate process for facilitating implementation (e.g. methods and persons involved) and measuring anticipated impact (e.g. successful judgment, changes to law/policy/practice, media references, etc)* |
| 1. Wider advocacy strategy | *Indicate how the strategic litigation connects with a wider advocacy strategy (e.g. political lobbying, community mobilisation,* |
| **Synergies** | |
| 1. Connection with other ESCR-Net litigation or working groups | *Indicate any overlap with other ESCR-Net past/current strategic litigation, or with ESCR-Net working groups or projects* |
| 1. Connection with other litigation or advocacy initiatives/processes | *Indicate any overlap with other past/current strategic litigation or non-ESCR-Net advocacy projects/initiatives/processes* |

1. http://www.escr-net.org/caselaw [↑](#footnote-ref-1)
2. To be filled in by ESCR-Net if acting as third party intervener/amicus curiae [↑](#footnote-ref-2)