The Strategic Litigation Working Group works to ensure accountability for violations of economic, social and cultural rights (ESCR), including full implementation of ESCR decisions.

**Current Objectives**

- Strategically support cases before the Committee on ESCR (CESCR) under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) and other UN Committees;
- Advance implementation of ESCR decisions;
- Build resources, capacity and strategic exchange to more effectively litigate and demand the legal enforcement of ESCR decisions within domestic, regional and international systems; and
- Facilitate member-to-member technical support on litigation and implementation projects.

**Impacts 2013-2016**

- The SLWG, led by members SERI-SA, GI-ESCR, and CESR, presented the first third party intervention in a case under the OP-ICESCR to the Committee on ESCR (Communication n. 2/2014, IDG v. Spain). A positive ruling on the right to housing was issued in September 2015, establishing that the State had the obligation to provide for effective remedies in foreclosure procedures, to ensure personal notification, and to guarantee that legislative measures are adopted to prevent repetition. This decision **affirmed the principle of access to justice for all human rights violations** and created an opening for ongoing third party interventions. SLWG advocacy before the UN has been growing both in regard to the CESCR and other UN Committees. In 2015, the SLWG started to hold annual meetings with CESCR, highlighting key issues such as reasonableness and implementation. Also in 2015, more than 20 member and partner organizations presented contributions to the Human Rights Committee’s new General Comment on the right to life and the issue of indivisibility.

- Strategic litigation workshops, focused on the OP-ICESCR, were organized in countries that have ratified the Protocol, including Argentina (2012), Bosnia Herzegovina (2013), Cape Verde (2014), Costa Rica (2016), Mongolia (2013), Montenegro (2014), El Salvador (2015), Slovakia (2013), Spain (2013-2014), and Uruguay (2013). These workshops have **built the capacity of lawyers to litigate ESCR, particularly before the UN**, and strengthened a network of technical support between ESCR litigators within and across countries. The Guide "Claiming ESCR at the United Nations" on how to litigate under the OP-ICESCR is now available in four languages.

- Emerging from international workshops to exchange strategies and lessons, members **advanced implementation of precedent setting cases**. Following an extended struggle by the Sawhoyamaxa, in close partnership with Tierraviva and ultimately the SLWG (which helped to facilitate a solidarity meeting of indigenous leaders, engaged with government officials and media, and submitted an amicus in favor of the community’s lawyer), a **law securing restitution of Sawhoyamaxa lands**—in line with a 2006 Inter-American Court ruling—was approved in the Paraguayan Parliament, signed by the President in 2014, and then upheld by the Supreme Court. The SLWG has also been engaged in the implementation of the African Commission on Human and Peoples Rights’ (ACHPR) ruling on behalf of the Endorois against Kenya, in collaboration
with the community. Recently, they have celebrated the growing leadership of Endorois women in the struggle to secure indigenous land rights; they composed over half of community representatives at a 2015 meeting that decided to register all Endorois women—including those who marry non-Endorois—as community members.

- The SLWG is increasingly a space for initiating bilateral collaborations; for instance, between ACIJ (Argentina) and ISER (Uganda) on the use of budget analysis in litigation.

Prioritized Activities for 2016
In 2015, the SLWG prioritized four areas of work for 2016:

1. **Progressive engagement with UN Committees, aimed at strengthening the protection of ESCR in the UN System:** A joint briefing on implementation for the UN Committee on ESCR and the Human Rights Committee was held during the 50th anniversary celebration of the International Conventions (Geneva, 20 June 2016).

2. **Support to strategic litigation, aimed at strengthening ESCR’s normative content and helping channeling social movements towards common goals:** A workshop on strategic litigation under the OP-ICESCR was held in Costa Rica on 27-28 April 2016. Third party interventions will be presented before the CESC, as well as before other international and national bodies.

3. **Implementation of regional decisions on ESCR, aimed at developing new models of implementation:** Two workshops (on bylaws and women’s leadership) were held with the Endorois community in 2016, to foster a more inclusive implementation process.

4. **Production and dissemination of information on ESCR litigation:** We will continue to issue the ESCR-Justice newsletter, build the Caselaw Database, and produce analysis of models for implementation, making materials gradually available in French and Arabic.

**Emerging Issues and Potential Synergies:** Evolving synergies with other ESCR-Net working groups and activities include: facilitating leadership development of Endorois women with the Women and ESCR (WESCR) Working Group, advancing protection of human rights defenders in support of the System of Solidarity, and deepening engagement with UN treaty bodies in coordination with multiple working groups and the NGO Coalition for the OP-ICESCR. The SLWG plans to foster intersectional analysis in litigation with a focus on those disproportionately impacted by rights’ violations. Moreover, the length and cost of litigation, coupled with low implementation rates, advocates for the need to critically assess litigation as one among multiple advocacy tools. We will continue to strategically discuss litigation opportunities with and remain tied to affected communities, who will in turn be vital to any implementation efforts.

**Membership**
The SLWG is composed of 65 organizational members, across Latin America (19), North America (8), Africa (14), Europe (6), Asia (4), and MENA (4), as well as 10 international NGOs. In addition, 12 individual members include seven women and representatives of five regions. There are five women rights’ organizations and one indigenous peoples’ movement, as well as a several NGOs closely allied with indigenous communities and social movements. The SLWG Steering Committee is formed by the following organizations and individuals: CELS (Argentina), CHRD (Mongolia), Dejusticia (Colombia), EIPR (Egypt), FI (Switzerland), GI-ESCR (US), HRLN (India), ISER (Uganda), Jackie Dugard (South Africa), Malcolm Langford (Norway), and SRAC (Canada).