



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

"Dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights"

United Nations Human Rights Council
12th Session (14 September - 2 October 2009)

ICJ Intervention under Item 3

"Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development"

18 September 2009

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Mr. President,

The International Commission of Jurists has welcomed the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and has advocated for its prompt entry into force.

The Optional Protocol restores the original holistic vision of the Universal Declaration of Human Rights and provides the victims of violations of economic, social and cultural with a means to seek justice at the international level. This latest landmark will serve to make real and effective the principle affirmed by all states in the Vienna Declaration and Programme of Action that all human rights are universal, indivisible, interdependent and interrelated. The Optional Protocol will also help to reinforce the justiciability of economic, social and cultural rights and the right to a remedy for violations of those rights. It will require that the right to a remedy is effectively implemented in the domestic law of States Parties.

As we approach the ceremony marking the opening for signature of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, to be held in New York on 24 September 2009, we would like to commend the decision of at least nine States - as of today¹, to sign the Optional Protocol on that occasion, with a view towards its ratification and subsequent entry into force. We call on other States, including those already engaged in procedures aimed toward becoming a party to the Optional Protocol, to follow this example and do its utmost to sign the Optional Protocol on that occasion or soon afterwards.

It is also essential to ensure a substantial participation at the treaty event of those countries that have not yet taken a decision to sign the Optional Protocol, as both the outcome and presence at this ceremony will send a strong message to the world regarding the commitment of the international community to ensure the full protection of all human rights for all persons.

Becoming a party to the Optional Protocol will reinforce the commitment of States to develop and ensure effective remedies for victims of violations of economic, social and cultural rights at both the domestic and international levels. Signing the Optional Protocol will be a tangible demonstration of that commitment and will help generate the necessary momentum to ensure a prompt entry into force of this mechanism.

The ICJ repeats its appeal to all States to seize this historic opportunity and meet the expectations and needs of all persons in ensuring the realization of their economic, social and cultural rights.

¹ Argentina, Belgium, Chile, Finland, Netherlands, Portugal, Slovenia, Spain and Senegal are expected to sign on 24 September 2009.

I thank you.