



SOUTHERN AFRICA SOCIO-ECONOMIC RIGHTS CAMP:

ECONOMIC, SOCIAL AND CULTURAL RIGHTS ADVOCACY AND LITIGATION IN SOUTHERN AFRICA

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1. Conceptual Background

The evolution of international human rights law has revealed that civil and political rights and economic, social and cultural rights (ESC rights) are two sides of the same coin of universal human rights. This was particularly evidenced during the 1993 World Conference on Human Rights held in Vienna where the delegates reached the conclusion that "all human rights are universal, indivisible, interdependent and interrelated."

The African Charter on Human and Peoples' Rights particularly emphasises the interdependence of human rights by recognising that the "satisfaction of economic, social and cultural rights is a guarantee for the enjoyment of civil and political rights." Furthermore, this African human rights instrument does not formulate ESC rights as rights that should be realised progressively as it is the case in the International Covenant on Economic, Social and Cultural Rights. Such recognition provides the possibility to challenge SADC states' reluctance or failure to respect, protect and fulfil ESC rights. However, most challenges to human rights violations in the Southern African region have tended to focus on violations of civil and political rights even though ESC rights are daily concerns of the people.

This gap is particularly due to the lack of support to and capacity of lawyers as well as of human rights and social justice activists who are interested in ESC rights advocacy and litigation. Lawyers and human rights activists, who are key actors in domestic human rights advocacy and litigation processes, need to have their technical capabilities concerning the enforcement of ESC rights enhanced. Development activists and practitioners, workers' unions, consumer rights organisations, and several others actors from the economic justice movement also need to have their capacity to address the challenges of the realisation of ESC rights strengthened. Unless the gap between legal enforcement on the one hand and advocacy for ESC rights on the other hand, is reduced, the two communities of activists will miss the opportunity to mutually enrich and reinforce each other's work towards the realisation of ESC rights on equal footing with civil and political rights. Reducing the gaps in conceptual understanding of, and advocacy capacity for the enforcement of ESC rights of the different actors is a primary contribution to the development and implementation of public policies that are conducive to the full realisation of ESC rights, and therefore to economic justice in SADC countries.

It therefore becomes worthwhile bringing together these actors to examine the different ways in which the substance and implications of ESC rights have been and should be

articulated and implemented by policymakers and enforced by domestic courts and regional and international human rights bodies. It is also meaningful examining the content and the scope of the obligations that ESC rights impose on states, as well as the various methods and strategies that can be used by human rights and social justice NGOs to advocate for the effective implementation of ESC rights and seek legal remedies against violations committed by states and non-state actors. The Southern Africa Socio-Economic Rights Camp will provide SADC-based lawyers and human rights activists, development practitioners, as well as labour and consumer rights advocates the opportunity to enhance their skills, learn from each others, sharpen their understanding of ESC rights, as well as to find ways to effectively collaborate in enforcing them.

2. Goals

The aim of the Southern Africa Socio-Economic Rights Camp is three-fold. Firstly, it will serve to bring together various actors involved in human rights and economic justice advocacy and litigation across the SADC region. Indeed, the participants will come from various Southern African countries and have been selected on the basis of their experience, ongoing and and/or future involvement in economic, social and cultural rights advocacy and litigation. The Camp will provide a space where they can reflect on the various principles, methods and strategies concerning ESC rights advocacy and litigation at national, regional and international levels.

Secondly, the camp will also constitute a privileged opportunity offered to the participants to share experiences in ESC rights advocacy and litigation in their respective countries, and to learn from each other's strengths and challenges.

Lastly, the camp will enable the participants to come up with common strategies for ESC rights advocacy and litigation before SADC and African human rights bodies and in their respective countries.

Main objectives of the *Southern Africa Socio-economic Rights Camp*:

- To allow participants to learn from each another's experiences and challenges in ESC rights advocacy and litigation;
- To foster greater collaboration and building of synergies between actors in the legal sector and those in the socio-economic justice movement;
- To foster their capacity to effectively advocate for and litigate ESC rights regionally and domestically;
- To provide them with the opportunity to adopt common strategies for the litigation of ESC rights domestically, regionally and internationally;
- To enable participants to come up with a declaratory response and a plan of action regarding crosscutting issues affecting the realisation of ESC rights in the SADC region.