

**United Nations Human Rights Council
22nd Regular Session, 25 February to 22 March 2013
Agenda Item 8**

**ICJ Oral Statement in the General Debate under Item 8: Follow-up and implementation
of the Vienna Declaration and Programme of Action**

**ACCESS TO JUSTICE AND RIGHT TO A REMEDY FOR ECONOMIC, SOCIAL AND CULTURAL
RIGHTS – THE OPTIONAL PROTOCOL TO ICESCR**

19 March 2013

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Mr. President,

On this year of the twentieth anniversary of the Vienna Declaration and Programme of Action (VDPA), the International Commission of Jurists (ICJ) observes that one of the key focuses of the VDPA is on the need for every State, individually and collectively, to ensure that victims of human rights violations have access to justice, including through the provision of effective remedies and reparations. The General Assembly has since affirmed by consensus that this obligation is incumbent on all States, including in its resolution 60/147 of 2005.

In its "Declaration on Access to Justice and Rights to a Remedy in International Human Rights Systems" – marking the 60th anniversary of our organisation – the ICJ noted with encouragement the development of international human rights standards and mechanisms. Yet, the ICJ identified clear needs for strengthening universal and regional human rights systems. This is especially true as it concerns access to justice for victims of violations of economic, social and cultural (ESC) rights.

The ICJ is therefore particularly pleased to welcome the deposit of the tenth instrument of ratification last month to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). Its entry into force on 5 May 2013 will mark an historic boost to the international protection of ESC rights and the provision of access to justice for rights-holders.

The ICJ calls on this Council and its members and observers, individually and collectively, to:

1. Actively promote universal acceptance of individual communications procedures of the treaty bodies;
2. Ensure more effective and accessible operation of these procedures, including the full implementation by States of decisions on interim measures and final views; and
3. Become party to the Optional Protocol to the ICESCR and make the declarations to accept the procedures under articles 10 and 11 of the Protocol.

I thank you.

<p>Statement delivered by: Kristine Tay, ICJ Economic, Social and Cultural Rights Programme Further contact: Sandra Ratjen, ICJ Economic, Social and Cultural Rights Programme (sandra.ratjen@icj.org)</p>
