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## INSTITUTIONAL NEWS

### ◆ Location of the Secretariat

At the International Strategy Meeting held in Nairobi, Kenya in December 2008, ESCR-Net's General Assembly decided to "... mandate the Board and the Secretariat to initiate a process for exploring alternative locations for the ESCR-Net Secretariat, and to make any necessary and timely decisions to ensure the healthy functioning of the Secretariat, including its relocation". The Board was mandated as well to "work with

the Secretariat to advance this process with all deliberate speed” and to “keep membership informed of key decisions”. In light of this resolution, the Secretariat started producing information deemed necessary for this process. The Secretariat completed research on the economic benefits of moving the Secretariat location to a country in the Global South. The economic advantage of moving the office and the potential for increasing the working capacity of the Network had originally been identified as powerful reasons for relocating the office, and thus the research on the economic advantage of the relocation was a critical element to move forward in the process. The results of the research demonstrate that moving the location to the Global South could result in a reduction of operational expenses of about 31% to 62% of current operating costs, depending on the selected city. As a consequence, the research shows that, if funding is maintained at the same level, relocation opens a real possibility of increasing the working capacity of ESCR-Net. ESCR-Net Board and Secretariat are evaluating these findings and holding the necessary conversations to define next steps.

### ◆ **ESCR-Net Members: Update Your Web Profile!**

ESCR-Net is currently asking all members to visit your Member Web Profile and let us know if you have new contact information, new projects, new photos or logos you would like to post on your page. If so, please email them to Liz Ligon at [info@escr-net.org](mailto:info@escr-net.org). View ESCR-Net Member Web Profiles [here](#).

We also ask you to highlight that you are a member of ESCR-Net by including the ESCR-Net logo on your organizational website. If you did not receive the recent communication with the jpg of the ESCR-Net logo attached, please contact Liz Ligon at [info@escr-net.org](mailto:info@escr-net.org).

## ADJUDICATION AND ESCR

### ◆ **Campaign for the Ratification and Implementation of the Optional Protocol to the ICESCR - Justice NOW! Ratify to Protect all Human Rights**



#### ○ **Upcoming Elections of the Committee on ESCR - Get involved!**

The International NGO Coalition for an Optional Protocol\* (NGO Coalition) has issued a call addressed to civil society to draw its attention to the upcoming elections of the Committee on Economic, Social and Cultural Rights (ESCR Committee). The NGO Coalition urges civil society to get involved to ensure the election of independent members with solid ESCR expertise. The terms of 9 of the 18 members of the ESCR Committee will expire on 31 December 2010. In October 2009, States parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR) were asked to nominate new candidates for the ESCR Committee. The deadline for nominations is January 26, 2010. Elections will take place in April 2010. The elected individual members will have an impact on the overall quality and effectiveness of this body. With the Optional Protocol to the ICESCR (OP-ICESCR) now in place, the strength and capacity of the ESCR Committee becomes even more critical. The NGO Coalition believes that it is key to target efforts at both the national and international levels to overcome the shortcomings of an election process which in many instances are opaque, and candidates who too often hold executive positions in their governments with little or no relevant experience.

For more information on the process, the timeframe, and how to get involved, please visit: [http://www.escr-net.org/actions/actions\\_show.htm?doc\\_id=1067615](http://www.escr-net.org/actions/actions_show.htm?doc_id=1067615)

The list of candidates nominated will be available at: <http://www2.ohchr.org/english/bodies/cescr/elections2010.htm>

\* Since December 2008, ESCR-Net coordinates the work of the NGO Coalition for an OP-ICESCR. The Coalition is formed by more than 200 organizations and individuals working for social justice worldwide. The Steering Committee of the Coalition is formed by Amnesty International; Centre on Housing Rights and Evictions (COHRE), Switzerland; Community Law Centre, South Africa; International Network for Economic, Social and Cultural Rights (ESCR-Net), USA; Food First Information and Action Network (FIAN), International Secretariat, Germany; International Commission of Jurists (ICJ), Switzerland; International Federation for Human Rights (FIDH), France; International Women's Rights Action Watch Asia-Pacific (IWRAP Asia-Pacific), Malaysia; Inter-American Platform of Human Rights, Democracy and Development (PIDHDD), Paraguay; Social Rights Action Centre, (SRAC), Canada.

### Get involved!

Please let us know if you have been able to take action around the election process and if so, what the response of your government has been; any interest in becoming involved in election activities in your country; information on activities currently taking place, targeting parliamentarians, or media; and information about your government's nominee. Please send your feedback to Suad Elías at: [OP-Coalition@escr-net.org](mailto:OP-Coalition@escr-net.org) +1 (212) 681 1236 Ext 26.

#### o **Input on the Process of Adoption of the Rules of Procedure to the OP- ICESCR**

The Committee on Economic, Social and Cultural Rights (ESCR Committee) is in the process of adopting Rules of Procedure for the OP-ICESCR. A number of key issues that will be influential in determining the effectiveness and competence of the ESCR Committee's consideration of communications under the OP-ICESCR will be addressed in the Rules of Procedure.

The ESCR Committee started conversations on the Rules of Procedure in a meeting held in October 2009, prior to its 43rd session and will continue its consideration in its 44th session in May 2010. Recognizing the importance of considering the views of a broad range of NGO's involved in promoting the OP-ICESCR, Members of the Steering Committee of the NGO Coalition prepared a substantive paper based on developments in international law to support the adoption of rules which allow for progressive interpretation of substantive and procedural issues, such as interim measures, friendly settlements, reasonableness, amicus curiae and standing. The paper, titled Considerations of the International NGO Coalition for an OP-ICESCR in relation to the OP-ICESCR and its Rules of Procedure, was circulated among members of the NGO Coalition and groups with relevant ESCR expertise, and revised and streamlined by Bruce Porter and Donna Sullivan, both experts on ESCR and international law. The paper was then further discussed during a meeting held on September 24, 2009 with experts on adjudication of ESCR at the national and international level. The document was presented to the Committee for its consideration. Bruce Porter, in representation of the Steering Committee of the Coalition, met with Members of the ESCR Committee to further share and advance the position of the Coalition in relation to the rules of procedure and the interpretation of the OP-ICESCR. The document received very positive feedback and the Coalition is looking forward to continuing to contribute to the process of adoption of the rules.

The Coalition thanks all the organizations and individuals who devoted their time and experience to contribute to this process and to the Ford Foundation who generously funded this process and supported the Strategic Meetings described below. The Coalition also thanks the ESCR Committee and the Office of the High Commissioner for Human Rights (OHCHR) for allowing the NGO Coalition to present its considerations on this issue. To access the document and learn more about the contributors please [click here](#). For a summary of the document in Spanish [click here](#).

#### o **Signature Ceremony of the OP-ICESCR and Advocacy within UN Missions and Foreign Ministries**

The NGO Coalition has been actively engaging with foreign ministries and UN missions in New York encouraging State parties to the ICESCR to sign and ratify the OP-ICESCR. This work has been successful in advancing its aim of ensuring a strong number of signatures at the UN Signature Ceremony of the OP-ICESCR on September 24th. Reaching beyond our expectations, 30 countries have signed the Optional Protocol so far. One key advocacy action was an online petition launched by the NGO Coalition. The petition received the endorsement of over 30,000 people from all over the world and served as a key tool to encourage States parties to sign the OP-ICESCR and create awareness around the OP-ICESCR. To see the list of those who have signed the OP-ICESCR, [click here](#).

A number of representatives of the NGO Coalition attended the UN Signature Ceremony of the OP-ICESCR, and one representative was invited as a speaker to this official ceremony. Muthoni Wanyeki, current director of the Kenya Human Rights Commission spoke for the Coalition, stating the importance of the OP-ICESCR for millions of victims of ESCR violations all over the world and calling for universal ratification. Navanethem Pillay, United Nations' High Commissioner for Human Rights, said "The Optional Protocol closes a historic gap in human rights protection. It reaffirms the equal importance of economic, social and cultural rights with civil and political rights"

To read the full statement of the High Commissioner, click here [http://www.escr-net.org/actions\\_more/actions\\_more\\_show.htm?doc\\_id=1067594&parent\\_id=940624](http://www.escr-net.org/actions_more/actions_more_show.htm?doc_id=1067594&parent_id=940624).

#### o **Strategy Meetings Organized by the NGO Coalition for an OP-ICESCR**

The NGO Coalition organized a 3-day meeting from September 23-25, 2009, on the eve of the UN Signature Ceremony for the OP-ICESCR. It covered three over-arching themes related to the OP-ICESCR Campaign. The first day was devoted to strategizing on different components of the OP-ICESCR Campaign; the second day, as mentioned in the previous section, was used to get substantive feedback on the rules of procedure paper for its subsequent revision; and the final day consisted of a meeting of the Steering Committee of the NGO Coalition to decide on next steps for the Campaign. The meetings were extremely successful in that they allowed a wide range of stakeholders engaged in the development of the OP-ICESCR—approximately 30 participants from different regions to come together and share and debate viewpoints

on the campaign and the orientation of the rules of procedure.

The Coalition also co-organized a panel with the Center for Human Rights and Global Justice at NYU Law School entitled “Enforcing Economic, Social and Cultural Rights: The Hope and Challenge of the Optional Protocol”, on September 23, 2009. The panelists for the event were Phillip Alston, Professor at NYU Law and Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; Catarina de Albuquerque, Independent Expert on the Right to Water and Chairperson of the Working Group on the OP-ICESCR and Bruce Porter, Social Rights Advocacy Centre and representative of the Steering Committee of the NGO Coalition.

### Get involved!

If you are interested in supporting the Campaign for the OP-ICESCR or have any information in relation to your governments plan for ratification, please let us know. Please contact us at [OP-Coalition@escr-net.org](mailto:OP-Coalition@escr-net.org) +1 (212) 681 1236 Ext 26.

## ◆ ESCR Strategic Litigation Project

Strategic litigation on economic, social and cultural rights (ESCR) issues was identified as a critical area of engagement for the Adjudication of ESCR Working Group emerging from the Nairobi meeting. Since that time, ESCR-Net has designed a project that attempts to address various critical aspects in the area of strategic litigation of ESCR which were identified in Nairobi. The Ford Foundation has generously agreed to fund several activities in this area, which are described below.

### 1) Strategic Litigation Support for the Optional Protocol to the ICESCR

At the Strategy Meeting, it was pointed out that with the recent adoption of the Optional Protocol to ICESCR, there would soon be a need to support good cases at the domestic level that could be potentially taken forward under the new complaint mechanism in order to render positive precedents and provide attention to the process. Such pro-active engagement with national groups is particularly important due to the strict time limitation for submitting complaints after a violation has occurred. The objective of this project is to enhance collaborative efforts and shared strategies in the use of the OP-ICESCR, support organizations in countries that have ratified the OP-ICESCR to begin bringing cases forward and provide assistance and promote collaboration in the development of strategies and arguments. Two critical aspects of making this happen have been identified: developing a concept paper on the creation of a strategic litigation program and a guide to support the development of strong cases that can be brought forward as well as a workshop on strategic litigation under the OP-ICESCR in August 2010. In addition to ESCR-Net and the NGO Coalition for an Optional Protocol to the ICESCR, the Social Rights Advocacy Centre (Canada) and the Norwegian Centre for Human Rights (Norway) will be critical collaborators in this project. It is important to note that this aspect of the project is considered to be in the development phase. We envision using the next year to think deeply and in consultation with relevant stakeholders on how this project and program can be structured, and then it will require follow up to find funding to implement the program on an ongoing basis in the years to come.

### 2) Implementation and Enforcement of Economic, Social and Cultural Rights Judgments

The failure of authorities to speedily implement some judgements covering ESC rights was also noted as a major concern in Nairobi. In many jurisdictions, there were often a few high profile cases that were poorly implemented, while in some countries non-implementation of all human rights judgments are endemic. Cases dealing with positive obligations were particularly mentioned but it was noted that cases concerning negative obligations sometimes faced the same fate – a problem shared with implementation of some decisions in the field of civil and political rights. To support a move toward increased implementation, ESCR-Net with the lead of its member organizations Dejusticia (Colombia) and the Norwegian Centre for Human Rights (Norway) will organize an international workshop in May 2010, with litigation experts at the national and international levels, social movement groups and high profile judges to reflect on the bottlenecks and obstacles that impede implementation and factors that have allowed for implementation, exchange lessons from different jurisdictions and develop a campaign and strategies to improve accountability for implementation at the national level. Litigation experts will be asked to write papers that will inform the discussions at the workshop and that will, in turn, form the basis of a publication in Spanish and English. During this meeting, participants will also define one critical action to be taken during the proposal period to further the project goals.

### 3) Support for Submission of Amicus Curiae

There is also a need to build capacity and facilitate reciprocal support among groups in ESCR litigation processes. At the International Strategy Meeting, submission of amicus curiae was highlighted as a significant tool towards this aim. Amicus curiae can provide a useful advocacy and educational tool within national and international adjudicatory processes and also build solidarity and knowledge between organisations and litigants. It is also a particularly important strategy in those jurisdictions where judges are reticent to intervene in these types of claims. ESCR-Net will create a virtual forum for requests for amicus support, develop a pool of experts interested in supporting the submission of amicus, and a process for responding to particular questions as well as coordinating expert input in individual cases as needed. This forum and exchange process is currently in development. Further information will be made available moving forward.

### Get involved!

Please contact Rebecca Brown if you are interested in finding out more about these projects and how to get involved, can serve as a resource person or are interested in receiving litigation support at [rbrown@escr-net.org](mailto:rbrown@escr-net.org).

## ◆ ESCR-Justice: Monthly Caselaw Update

ESCR-Justice is a monthly update, circulated in English, French and Spanish, highlighting an important economic, social or cultural rights (ESCR) case that has been added to the Case Law Database. To date, ESCR-Net has produced five editions of ESCR-Justice, which can be found [here](#). The new cases disseminated since the last Newsletter include: [Decision T-760](#) from the Colombian Constitutional Court on the right to health (July 2008), [Naz Foundation v New Delhi](#) from the New Delhi High Court on non-discrimination on the basis of sexuality and HIV/AIDS (July 2009), [Doe v Unocal](#) from Ninth Circuit Court of Appeals in the U.S. on U.S. corporate liability for violations of human rights (September 2002) and [Reyes Aguilera, Daniela v. Argentina](#), decided by the Supreme Court of Argentina on the scope of the right to social security for immigrants with disabilities (September 2007).

We hope that ESCR-Justice will support activists and advocates to stay abreast of important developments in ESCR litigation and promote exchange of litigation strategies across regions and jurisdictions that are otherwise limited by language and distance. ESCR Justice is also intended to encourage discussion of crucial challenges for ESCR advocacy and encourage the use of legal strategies and the rights based approach as valid and effective means for claiming economic, social and cultural rights.

The ESCR-Justice: Monthly Case Law Update and the ESCR-Net Caselaw Database on Economic, Social and Cultural Rights Related Jurisprudence, Cases and other Decisions (see below) are created in partnership with the following organizations:

[Centre for Legal and Social Studies \(CELS\)](#), Argentina

[Centre on Housing Rights and Evictions \(COHRE\)](#), USA

[DeJusticia](#), Colombia

[Human Rights Centre at Queens University Belfast](#), Northern Ireland

[Norwegian Centre for Human Rights, University of Oslo](#), Norway

[Social Rights Advocacy Centre \(SRAC\)](#), Canada

### Get involved!

Please send new cases and interesting developments in ESCR jurisprudence to Rebecca Brown at [rbrown@escr-net.org](mailto:rbrown@escr-net.org). To share information or strategies with other ESCR advocates subscribe to the [Justiciability Discussion Group](#).

## ◆ Expansion of the Caselaw Database

The [ESCR-Net Caselaw Database](#) is continuously updated as a critical resource and repository of court decisions and other relevant documents relating to economic, social and cultural rights. The ESCR-Net Caselaw Database is a collaborative project developed under the leadership of the organizations above and in collaboration with many other groups and individuals working to advance economic, social and cultural rights throughout the world. The ESCR-Net Caselaw Database makes ESCR-related pleadings, commentary and decisions available to a wide audience of ESCR activists and defenders from a range of countries, legal traditions and languages.

Here are a few of the new cases that have been recently added or updated (not including those listed above):

[K.H. v. Slovakia](#), European Court of Human Rights, April 2009

[A.S. v. Hungary](#), UN Committee on the Elimination of all Forms of Discrimination Against Women, August 2006

[Equal Opportunities Commission v. Director of Education](#), High Court of Hong Kong, June 2001

### Get involved!

Please send new cases and interesting developments in ESC rights jurisprudence to Rebecca Brown at [rbrown@escr-net.org](mailto:rbrown@escr-net.org). To share information or strategies with other ESCR advocates subscribe to the [Justiciability Discussion Group](#).

## WOMEN AND ESCR



CEDAW+30:  
**Make the Link! ESC Rights are Women's Human Rights**

### ◆ Advocacy within UN Bodies - CEDAW and CESCR

During the Women and ESCR discussions at the International Strategy Meeting on ESCR, the participants collectively decided that ESCR-Net's work on women's human rights should focus on reclaiming economic, social and cultural rights as women's human rights. With this goal in mind, the Women and ESCR group has developed two projects that focus on requesting that UN bodies more comprehensively address women's human rights issues and highlighting the importance of ensuring women's ESCR as a primary strategy for achieving gender equality. We have identified a two-prong advocacy approach: (1) creating resource material to create greater awareness and new knowledge on women's ESCR, and (2) engage directly with both the CEDAW and ESCR Committees, using the resource material described below, and advocate for a more direct integration of women's ESCR into their reporting sessions with States and eventually during communications brought under both treaties' Optional Protocols.

#### • Resource Material

We are in the process of creating shadow report guidelines in conjunction with IWRAW Asia-Pacific on women's ESCR for both Committees, as well as a more general guide which delves into the value-added in engaging with both Committees on women's ESCR issues, both through shadow reporting and through the communications procedure of the Optional Protocols. The guide will begin to look closer at articulating women's rights issues and ESCR issues in an interdependent, interconnected and indivisible way and offer possibilities for advocacy using this framework.

#### • Committee Engagement

In conjunction with COHRE's Women and Housing Program and IWRAW-Asia Pacific, we are planning a thematic briefing with the CEDAW Committee on women's ESCR at the 45th session on January 25, 2010 in Geneva. The session will generally be to provide a deeper understanding of the ways in which lack of implementation of ESCR have a unique and disproportionate impact on women. The session will include an overview of how the CEDAW Committee has so far dealt with ESCR issues as they affect women as well as have speakers from Panamá, Egypt and the Netherlands who will be in Geneva participating in the shadow reporting process and will speak about women's ESCR issues in their country. We are also supporting the development of shadow reports for this session which highlight women's ESCR issues. To help increase the understanding of ESCR issues within the CEDAW Committee and enable them to engage with the briefing more deeply we are developing a factsheet on women's ESCR for advocacy and educational purposes. Importantly, we hope this briefing in January will be the first step in a longer term engagement strategy to influence UN treaty bodies to develop a deeper understanding of women's ESCR to provide positive decisions which support women's advocacy and implementation of women's ESCR at the national level.

#### Get Involved!

If your organization is interested in being involved in this project or has information to share with the CEDAW or ESCR Committee's, please contact us at: [rbrown@escr-net.org](mailto:rbrown@escr-net.org). To share information or strategies with other Women's ESCR advocates subscribe to the [Women and ESCR Discussion Group](#).

### ◆ Caselaw Database

In Nairobi, the database was also highlighted as important to many groups working on women's ESCR issues. We have been working on researching important and emerging cases on women's ESCR to add to our database, such as [KH v. Slovakia](#) (July 2009) out of the European Court of Human Rights and [A.S. v. Hungary](#) (August 2006) brought under the communications procedure of OP-CEDAW. We are committed to continuing to add cases on women's ESCR.

#### Get Involved!

If your organization has the capacity to more actively support the development of the case law database with relation to women's ESCR, please email Rebecca Brown at [rbrown@escr-net.org](mailto:rbrown@escr-net.org). To share information or strategies with other Women's ESCR advocates subscribe to the [Women and ESCR Discussion Group](#).

## CORPORATE ACCOUNTABILITY

### ◆ UN Consultations on Business and Human Rights

In its ongoing advocacy for corporate accountability, the Corporate Accountability Working Group (WG) continues to engage with UN processes related to business and human rights, especially within the mandate of the Special Representative of the Secretary General (SRSG) on Business and Human Rights. Most recently, ESCR-Net member the International Commission of Jurists and Friedrich-Ebert-Stiftung along with the ESCR-Net Secretariat organized a Civil Society Forum on business and human rights on October 4, 2009 to coordinate and strategize in the lead up to the UN global consultation in Geneva organized by the Office of the High Commissioner for Human Rights on operationalizing the ‘Protect, Respect, Remedy’ framework developed by the SRSG. In the lead-up to this consultation, the Working Group prepared Part I of the [Advocacy Guide on Business and Human Rights in the UN](#) to enable civil society groups worldwide to take a more active part in the debates occurring in the UN on holding business accountable to human rights. The WG later presented a [submission to the OHCHR](#) on several issues of shared concern, including ensuring the participation of affected groups in the operationalization of the ‘Protect, Respect, Remedy’ framework; strengthening the State duty to protect through international cooperation; highlighting State obligations within international financial institutions; recognizing the legal underpinnings of the responsibility to respect; clarifying the scope of the human right to access an effective remedy; and reiterating the outstanding need for a global protection mechanism.

### ◆ The Business and Human Rights Documentation (B-HRD) Project

The Working Group and the Center for Human Rights and Global Justice (CHRGJ) at New York University School of Law have made considerable technical and substantive progress in developing the Business and Human Rights Documentation (B-HRD) Project. B-HRD will provide grassroots groups, NGOs, policymakers, experts, advocates, academics, and the public at large a comprehensive and expanding repository of pre-digested and credible information authored by human rights NGOs and other organizations that use a human rights framework to document business impacts on human rights around the world. We have designed the overall look and feel of the site, and developed the needed information architecture. B-HRD will consist of three major sections—a Database compiling and analyzing existing human rights documentation, an “In Focus” section highlighting particular situations of abuse and a “Working Papers” section fostering scholarship on business and human rights. Having integrated such enhancements, we now expect to launch it in mid-2010.

#### Get involved!

We are now soliciting human rights reports from organizations which carry out first-hand documentation of business-related human rights abuses. To view the key selection criteria, [click here](#). Send your report(s) and whatever other related information to [bhrdatabase@gmail.com](mailto:bhrdatabase@gmail.com), or by post to: Business and Human Rights Documentation (B-HRD) Project, c/o ESCR-Net, 211 East 43rd Street, #906, New York, NY 10017, USA.

### ◆ International Seminar: Transnational Companies and Human Rights: Litigation from the Perspective of the Victims, Colombia

Various ESCR-Net members, as well as the ESCR-Net Secretariat, participated in the *International Seminar on Transnational Companies and Human Rights: Litigation from the Perspective of the Victims*, organized by Colectivo de Abogados from November 11-13, 2009 in Suesca, Colombia. The event served to build mutual understanding between participating NGOs, lawyers’ collectives and affected communities from across the Americas and Europe, to reflect on the international human rights framework and political context governing companies and to propose alternatives to strengthen accountability of business actors. The seminar helped participants understand the experiences and views of affected communities and share obstacles faced in the search for truth, justice and reparations at the national, regional and international levels. Finally, the seminar provided a key opportunity to develop and strengthen spaces for collaboration and collective action between affected communities and lawyers across Latin America, US and the European Union.

#### Get involved!

To share information or strategies with other corporate accountability advocates, subscribe to the [Corporate Accountability Discussion Group](#).

## TRADE, INVESTMENT, FINANCE AND HUMAN RIGHTS

### ◆ A Human Rights Response to the Financial Crisis and Economic Recession

In response to requests by ESCR-Net's members at our General Assembly in Nairobi and thereafter, the ESCR-Net Secretariat—together with an active group of members\*—has embarked on a new campaign to advocate for a human rights response to the financial crisis and enduring economic recession which calls for policy alternatives that place human rights norms at the center of the agenda, in which people and the environment, not banks or business, are fundamental in economic policy-making.

At the twelfth session of the Human Rights Council (HRC), ESCR-Net co-organized the event [Responding to the Global Economic Crisis - Are Human Rights Relevant?](#) in the US together with the Center for Economic and Social Rights (CESR) and Center of Concern (CoC) to further build awareness and organizational linkages around the economic crisis. The objective of the event was to reflect on the global economic and financial crisis from a human rights perspective, and to examine the extent to which commitments to this approach made at the Human Rights Council's Special Session in February 2009 and at the UN General Assembly meeting in June 2009 have been translated into concrete and practical policies and actions. The event helped generate debate on concrete proposals for how human rights can contribute to defining national and global policy responses to the crisis, and how the Human Rights Council, its special procedures, and non-governmental human rights organizations, as well as States individually, can play a role.

Various ESCR-Net members and the UN Special Rapporteurs on Food, Olivier De Schutter and Extreme Poverty, Magdalena Sepúlveda, participated and the group made concrete proposals for analysis and action to the HRC, several of which were taken up in the [HRC's final resolution](#). These included the establishment of a panel discussion during the high-level segment of its thirteenth session in March 2010 to discuss and evaluate the impact of the financial and economic crises to the realization of all human rights worldwide. A request was also made to the OHCHR to consult widely and report on the impact of the crises on the realization of all human rights and on possible actions required to alleviate it.

Finally, during this period, ESCR-Net collaborated with the [Center for Women's Global Leadership](#) to begin developing a training module on macroeconomic policies and human rights, working with allies in the US and Mexico. Depending on funding, the objective would be to later extend these workshops to include members and training at the regional or national level in other continents.

#### Get Involved!

For more information about our work or to get involved in these advocacy efforts on the financial and economic crisis, write to Niko Lusiani at [nlusiani@escr-net.org](mailto:nlusiani@escr-net.org).

### ◆ Bridging Trade, Investment, Finance and Human Rights: A Pilot Project in the Agricultural Sector

The Center of Concern and ESCR-Net—together with 14 key human rights and trade organizations—are spearheading a pilot project on trade, finance, investment and human rights. The goal of the project is to increase the impact of human rights advocacy on policy-making processes on trade, investment and finance, with a particular focus on the agriculture sector. During this period, a set of *Guidelines for a Human Rights Approach to Economic Policy in Agriculture* were reviewed and further elaborated by participating organizations, with additional discussions to come to finalize them. In addition, participants have begun to use the *Resource Manual* developed throughout the course of the project on Bridging Trade, Investment, Finance and Human Rights in Agriculture, which provides key information and resources to those interested in integrating these tools into their capacity-building workshops at the national and regional levels. Following a full-year testing period with this Resource Manual, participants will share their experiences, cases and lessons learned in order to strengthen the Manual for future use by ESCR-Net members and partner organizations.

#### Get involved!

For more information about this pilot project, write to Niko Lusiani at [nlusiani@escr-net.org](mailto:nlusiani@escr-net.org).

\* Among the most active ESCR-Net members and participants in this campaign for a human rights response to the economic crisis are the Center of Concern, the Center for Economic and Social Rights (CESR), the Center for Women's Global Leadership (CWGL), Social Watch, and the Housing and Land Rights Network.



## ◆ Extra-territorial Obligations (ETO) Consortium Work

ESCR-Net has been a part of the ETO Consortium since its inception, a network of some 30 NGOs, university institutes and individuals from different parts of the world who are preparing a “document of principles” on extraterritorial state obligations for economic, social and cultural rights. The work of the Consortium is based on cases from a wide range of fields relevant to extraterritorial obligations. Each case is developed by mixed teams of NGOs and academic experts. From the lessons learned in each case, along with the experience of movements and NGOs championing them, the Consortium will develop the relevant conceptual and legal principles on ETOs into an international document. The 2nd conference of the ETO Consortium took place in Heidelberg, Germany in September, 2008, and the third occurred in Lancaster, England in September, 2009. ESCR-Net Program Associate Nicholas Lusiani presented on States’ extraterritorial obligations to protect against business-related human rights abuses during the public session of this Conference, and ESCR-Net agreed to help facilitate the coming campaign and mobilization efforts to build awareness and gather broad support for extraterritorial human rights obligations.

### Get Involved!

For more information and how to get involved in the ETO Consortium, write to Niko Lusiani at [nlusiani@escr-net.org](mailto:nlusiani@escr-net.org).

## SOCIAL MOVEMENTS AND GRASSROOTS’ GROUPS

### ◆ Third Solidarity Visit and Human Rights Mutual-Learning Workshop

ESCR-Net is very pleased to share that the Social Movements and Grassroots Working Group has received a grant from the American Jewish World Service to hold a *Third Solidarity Visit and Human Rights Mutual-Learning Workshop*. During the Nairobi Meeting, the members of the group identified the right to land, territory and natural resources as one of their priority areas of concern and the need to find further spaces for sharing and mutual learning as a central objective to pursue. While the program for the gathering needs to be defined by the participating partners, we anticipate that it will focus on the right to land and will provide an opportunity for the groups to further learn from each other on this issue as well as to advance conversations on strategies for solidarity and mutual support. We are also very happy to announce that some of our Brazilian partners--MST and Terra de Direitos--have expressed their willingness to host this event. Both of these groups have an impressive track record in working to ensure the right to land for small-scale farmers in Brazil.

### ◆ Video Documentary Project

As mentioned on our prior newsletter, the ESCR-Net Secretariat, in collaboration with the Media Mobilizing Project and the Social Movement Working Group, is advancing the Social Movement Working Group Documentary Project. The main objectives of the project are to (i) create a documentary tool for mutual learning on common challenges faced by social movements (particularly connecting local struggles to the changing international context), effective human rights strategies (and related lessons), and successful examples of or guidance for beneficial collaborations; and (ii) visually represent an emerging network of social movements and grassroots groups using the human rights, particularly ESCR, framework, to assist in further organizing efforts. The experiences and expertise of members present at the Social Movements and Grassroots Groups Gathering in Kenya form the content of this documentary. The documentary will be ready for a worldwide release soon. For more information, contact Suad Elías at [selias@escr-net.org](mailto:selias@escr-net.org).

## BUDGET ANALYSIS AND ESCR

### ◆ Latin American Training Program on Budget Work and Economic and Social Rights: August 17-26, 2009 / Buenos Aires, Argentina

The International Human Rights Internship Program (IHRIP), FUNDAR, the International Budget Program (IBP) together with ESCR-Net have formed a consortium to advance the field of budget analysis and human rights and to increase the capacity of groups to incorporate this analysis in their human rights work. Capacity-building was highlighted at the International Strategy Meeting in Kenya as one priority activity for this area of work. In August 2009, the first Latin American Training Program on Budget Work and Economic and Social Rights was held in Buenos Aires, Argentina. It was the first training conducted in Spanish and was co-organized with local organizations Centro de Estudios Legales y Sociales (CELS) and Asociación Civil por la Igualdad y la Justicia (ACIJ). The program was aimed at activists involved in

development work, social and economic justice movements, human rights organizations and applied budget groups based in and working in Latin American countries. Program participants acquired the basic skills needed to read and analyze budgets, assess situations within a rights framework, and relate budgets to economic, social and cultural rights obligations. They also explored how these combined skills can be used in their ongoing advocacy efforts. Follow-up activities are now being discussed among organizers of the training. The Buenos Aires training is part of a series of regional and global trainings the consortium has organized over the past few years.

### Get Involved!

To share information or strategies with other ESCR advocates, subscribe to the [Budget Analysis and ESCR Discussion Group](#).

## URGENT ACTION APPEALS

### ◆ Urgent Action to Free Human Rights Defender in the Democratic Republic of Congo

In response to a request by members, ESCR-Net sent out an urgent action letter on August 7, 2009 to the President of the Democratic Republic of Congo (DRC) and other relevant agencies, including the US State Department during Secretary Clinton's visit to the DRC, demanding the immediate and unconditional release of Mr. Golden Misabiko, president of the Katanga branch of the Association Africaine de Défense des Droits de l'Homme (ASADHO/Katanga), a respected non-governmental organization in the DRC and ESCR-Net member. We had reason to believe that the questioning, arrest, and arbitrary detention of Mr. Misabiko was directly related to his organization's legitimate activities advocating for transparency in the mining sector and defending human rights, especially the health and environmental rights of people in southeastern DRC. The letter also urged relevant government authorities to take all necessary measures to put an end to intimidation and ensure the physical and psychological integrity of all members of ASADHO/Katanga, and guarantee in all circumstances freedom of expression and opinion, freedom of the press, and ensure the full protection of national and non-national human rights defenders in the Democratic Republic of Congo.

On August 19, 2009, Mr. Golden Misabiko was released on bail, but persecution against him and his organization continues. To view the letter, [click here](#).

A global movement ...  
working together ...  
to advance social and economic justice ...  
through human rights



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