

Development of Human Rights Obligations in the Field of Economic, Social and Cultural Rights

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Millions of people around the world continue to suffer from violations of economic, social and cultural rights (ESC rights), including abuses of the right to food, water, sanitation, adequate housing, health, work or education. As a Justice and Peace commission, JP Netherlands has worked with many justice and peace commissions and human rights defenders, and has supported them in developing strategies to claim their Economic, Social and Cultural rights. Developments of human rights obligations in the field of economic, social and cultural rights can, from our point of view, best be looked at by highlighting the developments that we see in the day to day work of our partners.

First of all we see a development in balancing human rights and business in which economic interests gain importance—also in our country—and prevail over human rights obligations. And although there is much lip service in western countries in support of economic, social and cultural rights, in practice they are often ignored. An important example of this is the large-scale violation of the right to water and land in countries like Myanmar, South Sudan or Sudan. Abusive policies are often carried out in the name of development: for example being forced from your land to make room for large investors. And they have led to numerous violations of ESC rights (including the right to water and land, but also access to food and adequate housing). This in turn has special negative impact on the basic needs of local communities. A second example are the labor conditions in the garment industry in countries like Bangladesh that continue to be violated by allowing western and local companies to continue to sell garments that are produced under degrading circumstances that are a violation of the right to good working conditions but also the right to health.

Another important issue that remains to be an obstacle for the enjoyment of Economic, Social and Cultural rights is the continuing resistance to equal enjoyment of economic and social rights of men and women in southern and northern countries. Especially equal access to education, equal pay for equal work and equality in the right to property are violations of ESC rights that we often see in our work.

A general development we see with regard to the work of our partners is that global counter terrorism rules and regulations have forced human rights defenders to work in a shrinking space when defending human rights. Important to stress is that human rights defenders working on civil and political rights and economic, social and cultural rights are equally challenged by state and non-state actors in this regard. Examples of shrinking space are trends of state sponsored defamation campaigns used to portray HRD's as a

threat, legislation introduced in more and more countries to undermine the operating space for HRD's and thirdly there is a negative development of increased surveillance and censorship of human rights defenders.

Although I describe a negative trend with regard to the development of Economic, Social and Cultural rights, I would also like to stress that Economic, Social and Cultural rights are more important than ever.

The trend highlights the need of a human rights approach, especially focusing on Economic, Social and Cultural rights, with regard to a development and (human) security agenda in the coming decade.

Only by implementing Economic, Social and Cultural rights we can work on the root causes of poverty and truly address the issue of inequality and exclusion.

Human rights, but especially Economic, Social and Cultural rights also give us standards to address not only States but also local and international corporations and organizations.

Only with Economic, Social and Cultural rights we ensure that we reach and improve the position of the poorest and most marginalized in our world.

And to underline the importance of this message I would like to quote Pope Francis who said: " The unjust distribution of goods persists, creating a situation of social sin that cries out to Heaven and limits the possibilities of a fuller life for so many of our brothers." (And sisters I might add).