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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

Vision of the Office of the United Nations High Commissioner for Human Rights for reinforcing its work in promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 49/19, in which the Council requested the United Nations High Commissioner for Human Rights to prepare a report presenting the vision of the Office of the United Nations High Commissioner for Human Rights for reinforcing its work in promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the coronavirus disease (COVID-19) pandemic.



I. Introduction

1. The present report is presented to the Human Rights Council pursuant to Council resolution 49/19, in which the Council requested the United Nations High Commissioner for Human Rights to present the vision of the Office of the United Nations High Commissioner for Human Rights (OHCHR) for reinforcing its work in promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the coronavirus disease (COVID-19) pandemic.
2. The report builds on a previous report,¹ submitted to the Human Rights Council at its fifty-first session, and reflects the discussions held at the workshop mandated by the Council in its resolution 49/19 that was held from 6 to 8 February 2023.² The report also draws on 34 written submissions received from Member States, civil society, national human rights institutions and other stakeholders to the call for input to inform the workshop,³ informal consultations with Member States in Geneva and the work of OHCHR.
3. The Universal Declaration of Human Rights, reflecting the aspiration and purpose of the Charter of the United Nations, enshrined economic, social and cultural rights alongside civil and political rights as the essential foundations for a world free from fear and want. Embodied in the International Covenant on Economic, Social and Cultural Rights and numerous international and regional instruments, economic, social and cultural rights are integral to the international human rights framework in which all rights are universal, indivisible, interdependent and interrelated.
4. However, the promise of a world free from fear and want has been undermined for decades by an artificial divide between economic, social and cultural rights and civil and political rights, with painful consequences for human dignity and freedom and the sustainability of the planet. As the world rebuilds in the aftermath of the COVID-19 pandemic, the international community must work collectively and with urgency to end this unhelpful divide.
5. The pandemic brutally exposed the fragility of our economic, social and environmental systems, unleashing a dire human rights crisis that saw millions struggling in terms of access to basic health care, education, food and livelihoods. The world is back at hunger levels not seen since 2005 and progress has stalled or been reversed on more than 30 per cent of the Sustainable Development Goals.⁴
6. Both the Secretary-General and the High Commissioner have emphasized human rights as essential guardrails as the world rebuilds from the pandemic, addressing the multiple and intersecting challenges faced. In terms of poverty, jobs, education, housing, social security and health, amplifying action on economic, social and cultural rights will act as a powerful accelerant for implementing the 2030 Agenda for Sustainable Development.
7. Recognizing the criticality of this moment, it is the vision of OHCHR to enhance its engagement with Member States and all various stakeholders on the implementation of economic, social and cultural rights as a part of an integrated, indivisible and interrelated approach to human rights. This would be done at the thematic, normative and policy levels, as well as in its support function at the country and regional levels. As the Universal Declaration of Human Rights reaches its seventy-fifth anniversary, a reinvigorated and comprehensive approach to economic, social and cultural rights can chart the way towards a more sustainable and prosperous future for all.

¹ [A/HRC/51/20](#).

² See <https://www.ohchr.org/en/events/meetings/2023/workshop-promoting-and-protecting-economic-social-and-cultural-rights-within>.

³ See <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-promoting-and-protecting-economic-social-and-cultural-rights>.

⁴ [A/78/80-E/2023/64](#), paras. 4 and 5.

II. State of economic, social and cultural rights

8. The International Covenant on Economic, Social and Cultural Rights entered into force five decades ago and has been ratified by 171 States. However, progress towards realizing the rights contained in the Covenant has been limited and efforts to achieve inclusive and sustainable economic growth, social cohesion and the promotion of cultural diversity have not resulted in sufficient tangible benefits in the lives of all peoples, everywhere.

9. While the Covenant does provide for progressive achievement of the full realization of economic, social and cultural rights, in an acknowledgement of the reality of the resource constraints faced by many States, it also contains obligations that have immediate effect. These include taking appropriate steps to ensure the improved enjoyment of economic, social and cultural rights (for example, through legislative and policy initiatives), avoiding retrogressive measures and prohibiting discrimination. States must also show that every effort has been made to use maximum available resources, meaning both resources existing within a State and resources available from the international community through international cooperation and assistance. Given the interconnected nature of human rights, progress on economic, social and cultural rights is affected by the state of civil and political rights in a country and should also be viewed through the lens of the right to development.⁵

10. The Covenant is a fundamental pillar of the 2030 Agenda and the Sustainable Development Goals and is instrumental to meeting the 1.5°C benchmark contained in the Paris Agreement. The principle of leaving no one behind is a commitment by States to equality and non-discrimination and to prioritizing the needs of the most disadvantaged and marginalized in realizing the 2030 Agenda and the Goals.⁶ Crucially, economic, social and cultural rights provide a much-needed lever for accelerating achievement of the 2030 Agenda, with a human rights-based approach facilitating the transition towards more equitable, greener, safer and more peaceful societies.⁷

11. Catalysing action on economic, social and cultural rights and the 2030 Agenda has become even more urgent in the light of the pandemic, which caused global poverty to rise for the first time in over 20 years.⁸ Across 111 countries, 1.2 billion people (19.1 per cent of the population of those countries), nearly half of them children, now live in acute multidimensional poverty.⁹ At current trends, 574 million people – nearly 7 per cent of the world’s population – will be trapped in extreme poverty by 2030;¹⁰ this number includes the 132 million people who will be pushed into extreme poverty as a result of climate change.¹¹ The rise in extreme poverty is a direct consequence of increasing inequalities both within and between countries. Indeed, global wealth has never been greater.¹² However, in 2021, the richest 10 per cent of the global population owned 76 per cent of the total wealth; the poorest half owned just 2 per cent.¹³ Of the new wealth created between December 2019 and December 2021, almost two thirds, or \$26 trillion, went to the richest 1 per cent.¹⁴

⁵ Committee on Economic, Social and Cultural Rights, general comment No. 3 (1990), para. 8.

⁶ E/C.12/2019/1, paras. 4–6.

⁷ A/HRC/51/9, para. 7.

⁸ World Bank Group, *World Bank Annual Report 2022: Helping Countries Adapt to a Changing World* (Washington, D.C., 2022).

⁹ Oxford Poverty and Human Development Institute and United Nations Development Programme (UNDP), “Global Multidimensional Poverty Index 2022: Unpacking deprivation bundles to reduce multidimensional poverty” (2022). Measures of multidimensional poverty complement measures of traditional monetary poverty by capturing the acute deprivations in health, education and living standards that a person faces simultaneously.

¹⁰ See <https://www.worldbank.org/en/topic/poverty/overview>.

¹¹ World Bank Group, *World Bank Annual Report 2022*, p. 11.

¹² World Bank Group, “The changing wealth of nations 2021: managing assets for the future – executive summary” (Washington, D.C., 2021).

¹³ Lucas Chancel and others, *World Inequality Report 2022* (World Inequality Lab, 2021), p. 10.

¹⁴ Oxfam, *Survival of the Richest: How We Must Tax the Super-Rich Now to Fight Inequality* (Oxford, United Kingdom of Great Britain and Northern Ireland, 2023).

12. In many countries, gains in education, health, nutrition and gender equality have been reversed as a result of the pandemic, leaving people living in poverty and in situations of disadvantage further behind.¹⁵ Only one in six countries will meet Sustainable Development Goal 4 and achieve universal access to quality education by 2030,¹⁶ despite the recognition that education acts as the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty¹⁷ and is associated with a lower likelihood of violent extremism.¹⁸ Together with digital technology, education is considered as one of the great enablers and equalizers to create equal opportunities for all.¹⁹ However, according to current estimates, by 2030, 84 million children will be out of school and 300 million children will not complete primary school and achieve minimum learning proficiency.²⁰

13. In 2022, about 2 billion workers globally were in informal employment.²¹ This leads to a net loss of revenue for Governments and, with informal employment typically linked to lower wages, high-risk work and limited access to social security, women, who constitute a disproportionate percentage of informal workers,²² are left further behind. More generally, less than half the global population is effectively covered by at least one social benefit,²³ such as pension, health insurance, paid sick leave or unemployment.

14. Digital technologies are recognized as being at the forefront of development efforts, with about 60 per cent of global gross domestic product now relying on digital communication technologies.²⁴ However, one third of the global population remains offline,²⁵ with the majority of those unconnected being girls and women, in particular in Africa and South Asia.²⁶ Even where people have the possibility of using the Internet, cost, lack of access to a device, and/or lack of awareness, skills and purpose influence use.²⁷ The failure to invest in digital development and education affects people's participation in public life at all levels, including engaging in decisions affecting them, such as in the areas of food, health and the environment.

15. Tackling this challenging picture for economic, social and cultural rights means addressing the gaping deficit in available resources. The pandemic and its aftermath vividly exposed decades of underinvestment in economic, social and cultural rights. With about 60 per cent of low-income countries in debt distress or at high risk of it,²⁸ debt servicing amounting to a quarter of government revenue for some countries,²⁹ with Africa spending more on it than on health care,³⁰ and developing countries facing higher costs in accessing international capital markets, States are facing a punishing resource gap. Underinvestment,

¹⁵ World Bank Group, World Bank Annual Report 2022, p. 10.

¹⁶ United Nations Educational, Scientific and Cultural Organization (UNESCO), "84 million children at risk of still being out of school by 2030", press release, 20 April 2023.

¹⁷ Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 1.

¹⁸ UNDP, *Journey to Extremism in Africa: Pathways to Recruitment and Disengagement* (2023), p. 18.

¹⁹ Secretary-General, "Tackling inequality: a new social contract for a new era", eighteenth annual Nelson Mandela lecture, New York, 18 July 2020.

²⁰ UNESCO Institute for Statistics, *Setting Commitments: National SDG 4 Benchmarks to Transform Education* (Montreal, Canada, 2022).

²¹ International Labour Organization (ILO), *World Social Protection Report (2020–2022): Social Protection at the Crossroads – in Pursuit of a Better Future* (Geneva, 2021), p. 68.

²² See <https://www.unwomen.org/en/news/in-focus/csw61/women-in-informal-economy>.

²³ ILO, *World Social Protection Report 2020–2022*, p. 22.

²⁴ See <https://www.itu.int/hub/2021/11/bridging-the-digital-divide-with-innovative-finance-and-business-models>.

²⁵ See <https://www.itu.int/itu-d/reports/statistics/2022/11/24/ff22-internet-use/>.

²⁶ See <https://www.itu.int/hub/publication/d-gen-invest-con-2020/>. See also United Nations Children's Fund, "Bridging the gender digital divide: Challenges and an urgent call for action for equitable digital skills development" (New York, 2023).

²⁷ International Telecommunications Union, "Global connectivity report 2022: executive summary" (Geneva, 2022).

²⁸ See <https://www.imf.org/external/pubs/ft/ar/2022/in-focus/debt-dynamics/>.

²⁹ See <https://www.un.org/ohrlls/news/debt-affordable-finance-and-future-least-developed-countries>.

³⁰ See <https://www.un.org/sg/en/content/sg/speeches/2023-06-05/secretary-generals-remarks-the-launch-of-three-policy-briefs-under-our-common-agenda%20A0>.

along with additional needs since 2015, has left developing countries with a \$4 trillion gap in sustainable development investments.³¹ To address the inequitable global financial system that is “short term, crisis-prone, and that further exacerbates inequalities”, the Secretary-General has called for increased financing, as well as for a reform of the international financial architecture.³² In the meantime, States must increase their fiscal space.³³ They must have sufficient room to make decisions on the allocation of available resources that allow them to invest in meeting their human rights obligations and achieving the Sustainable Development Goals.

III. A vision for expanding the role of OHCHR in securing enjoyment of economic, social and cultural rights by all

16. Urgent action is needed to deliver on economic, social and cultural rights and the promise of the 2030 Agenda to build a better future for all. The Secretary-General has called for a renewed social contract, anchored in human rights, between Governments and their people and within societies, as well as the enhanced trust of people in public institutions.³⁴ The human rights framework – in particular engagement on economic, social and cultural rights – is a problem-solving measure that can help supercharge efforts.

17. This requires full recognition of the critical value of economic, social and cultural rights and the development of strategies that can effectively overcome obstacles to their realization. The vision of OHCHR focuses on actions in five key areas that are interconnected and mutually reinforcing: (a) expanding fiscal space and supporting the implementation of economic, social and cultural rights; (b) addressing inequalities; (c) ensuring an enabling environment; (d) addressing the role of international financial institutions; and (e) harnessing data to protect economic, social and cultural rights and achieve the 2030 Agenda.

A. Expanding fiscal space and supporting the implementation of economic, social and cultural rights

18. Implementing the obligation of States to use maximum available resources to deliver on economic, social and cultural rights requires legal, institutional and fiscal measures. As a starting point, legal recognition of economic, social and cultural rights in the domestic legal framework is a critical step towards realizing those rights at the national level. This provides a basis for legislation, policymaking and budget allocations relating to economic, social and cultural rights, and helps ensure accountability when they are not realized. It also ensures that those facing discrimination, marginalization and other forms of exclusion have means at their disposal to seek redress.

19. At the same time, institutions with sufficient and sustainable capacities and expertise are required to protect and promote economic, social and cultural rights, acting as a bridge to bring about change on the ground. They can help identify possible actions, even in States with limited resources, such as the more efficient use of existing resources, the prioritization of investments that have multiplier effects and the adoption of relatively low-cost programmes to protect those most left behind.

20. Tackling corruption, which is key to responsible governance and renewing the social contract, is another critical step that must be taken, regardless of resources, given the deleterious impact of corruption on fiscal space and its disproportionate impact on those in a situation of vulnerability. States must put legislative and regulatory frameworks in place and tap into the potential of information and communications technology and data, among others.

³¹ United Nations Conference on Trade and Development, *World Investment Report 2023: Investing in Sustainable Energy for All* (United Nations publication, 2023).

³² See <https://www.un.org/en/desa/un-secretary-general-calls-radical-transformation-global-financial-system-tackle-pressing>.

³³ ILO, *World Social Protection Report 2020–2022*, p. 61. See also [A/HRC/51/9](#), para. 22.

³⁴ See [A/75/982](#).

21. Chronic and significant underinvestment in economic, social and cultural rights at all levels – global, national and local – is a significant barrier to progress. In many States, fiscal space is constrained by onerous debt, while ineffective tax systems, characterized by retrogressive taxation, tax aversion and evasion, and tax exemptions for foreign investors, result in limited revenues. In addition, budget policymaking processes tend to give insufficient weight to investment in economic, social and cultural rights and fail to ring-fence social spending from cutbacks and austerity measures. Such fiscal policies often widen rather than narrow inequalities, with marginalized and disadvantaged communities benefiting the least from economic growth.

22. As a consequence of the international community's commitments to ending poverty and inequalities in the 2030 Agenda, coupled with the experience of the pandemic,³⁵ many States are increasingly aware that budgets are a crucial tool for policy and planning and for realizing economic, social and cultural rights³⁶ and are adopting a rights-based lens to ensure better allocation of social spending in areas such as health, social security, water services, sanitation and education.

23. OHCHR is uniquely positioned to provide expertise and guidance on securing greater fiscal space for investment in economic, social and cultural rights. A central pillar of this work is the Office's efforts to develop and encourage implementation of the concept of a human rights economy. The implementation of a human rights economy calls for the design and implementation of macroeconomic and fiscal policies that are consistent with the obligation to make use of maximum available resources, including ring-fencing resources for economic, social and cultural rights, preventing retrogressive policies and building capacity on human rights approaches in public policymaking.

24. OHCHR has piloted an operational approach that puts these concepts into action. The Surge Initiative employs a multidisciplinary approach that brings together economic, social and cultural rights, sustainable development and macroeconomics expertise to provide context-specific and solution-oriented advice on these issues.³⁷ For example, in Jordan, support on human rights-based budget analysis has helped the Government align its revenues with development priorities, ensure greater accountability in resource mobilization and tackle inequalities more effectively. Similarly, in the context of significant foreign debt repayment obligations associated with large investment projects in the Lao People's Democratic Republic, the Office analysed the Government's ability to finance inclusive and sustainable development, including economic, social and cultural rights, given limited domestic public finances. OHCHR also reviewed the impact of the pandemic and austerity measures in Argentina, including by analysing the country's fiscal capacity, on selected economic, social and cultural rights. A central element of the Office's vision for expanded work on economic, social and cultural rights is scaling up the Surge Initiative and making it sustainable as a mainstream element of the work of OHCHR.

25. OHCHR recognizes the importance of expanding its support for anti-corruption efforts to safeguard available resources, including for economic, social and cultural rights. The provision of human rights expertise and the sharing of good practices enhance the effectiveness of anti-corruption efforts and responses by ensuring that they are consistent with States' obligations and have a victim-centred approach so that resources are allocated fairly and benefit the populations most at risk of vulnerabilities. This is combined with support through research and analysis addressing the negative impacts of corruption on human rights, focusing on prevention, effective administration of justice and redress for the victims of human rights violations.³⁸

26. OHCHR support, in the form of policy advice, research and data analysis, training and capacity-building, is sought on all areas relating to economic, social and cultural rights.³⁹ For example, in 2022 in Mongolia, the Office monitored the housing rights of persons with disabilities to identify critical gaps and propose recommendations to strengthen legal and

³⁵ See [A/HRC/50/4](#).

³⁶ OHCHR, *Realizing Human Rights through Government Budgets* (New York and Geneva, 2017).

³⁷ See <https://www.ohchr.org/en/sdgs/seeding-change-economy-enhances-human-rights-surge-initiative>.

³⁸ [A/HRC/28/73](#), paras. 9 and 23.

³⁹ [A/HRC/51/20](#), paras. 28–42.

policy frameworks. In the Sudan, OHCHR carried out an assessment focusing on the rights to food and housing of women tea sellers and social security for the informal sector more broadly, including through human rights-based budgetary analysis. Close engagement with State institutions on the outcomes of its monitoring work and analysis, coupled with specific expertise, enables OHCHR to support the development of legal and regulatory frameworks and strengthen institutions and national capacity on specific economic, social and cultural rights as well as on developing and implementing human rights-based approaches within social programmes. In addition to working directly with national actors on the ground, OHCHR also partners with United Nations entities to integrate human rights into their work, as more effective approaches to achieving economic, social and cultural rights can accelerate progress on the 2030 Agenda.

27. OHCHR is also well placed to provide expertise and guidance to better integrate economic, social and cultural rights into the work of the regional commissions, building on their existing work on inequalities and poverty. For example, the Office contributed to the annual Africa Regional Forum on Sustainable Development, injecting human rights perspectives into discussions with stakeholders, in particular local administrators and municipalities, relevant to economic, social and cultural rights. OHCHR also signed a cooperation agreement with the Economic Commission for Latin America and the Caribbean to support the effective implementation of the first environmental treaty in the region, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement). Through collaboration such as this, OHCHR can support the regional commissions in leveraging their unique convening powers for the realization of economic, social and cultural rights and implementation of the 2030 Agenda by their member States.

28. The work and recommendations of the international and regional human rights mechanisms, including the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review, often provide road maps for the achievement of the 2030 Agenda and respect for economic, social and cultural rights. However, States often lack the capacity to fully implement the large number of recommendations made. At the country level, OHCHR fosters collaboration and can serve as a bridge between actors responsible for Sustainable Development Goal implementation and those responsible for engaging with international human rights mechanisms, such as the national mechanisms for implementation, reporting and follow-up. For example, in Guinea-Bissau, synergies between voluntary national reviews and reporting to human rights mechanisms were identified by the Senior Human Rights Adviser, as part of United Nations country team support. As a result, the working group drafting the first report to be submitted under the International Covenant on Economic, Social and Cultural Rights was able to draw on the experience of the voluntary national review.

B. Addressing inequalities

29. Addressing root causes of inequalities requires an identification of entrenched patterns of structural and systematic discrimination, which are embedded in laws, policies, social norms and entrenched power relations, an understanding of what and how they are sustained and the placing of human rights firmly at the centre of relevant policies and measures, with an explicit intention to prioritize the people and communities who are affected.

30. The Office seeks to expand the reach of its current work on discrimination and leave no one behind. It supports efforts aimed at strengthening laws, policies, institutions, practices and attitudes conducive to achieving equality and non-discrimination, including in relation to specific population groups such as minorities, Indigenous Peoples, persons of African descent, persons with disabilities, older persons, migrants, and women and girls. Throughout its engagement, the Office advocates for and facilitates the meaningful and inclusive participation of all in public affairs and decisions to ensure that as many voices as possible are heard.

31. The Office's current work in these areas includes, for example, a qualitative study in Tunisia of vulnerable groups traditionally left behind to analyse the impact of the pandemic

response on those groups and their access to stimulus measures for building back better. In Chile, indicators were developed to assess the level of enjoyment of the rights to work and to social security for the migrant population, applying an approach based on human rights and the principle of leaving no one behind.

32. In view of the growing demand to operationalize the principle of leaving no one behind, the contribution of OHCHR to the United Nations system's development work in this area is more necessary than ever and is aimed at enhancing coherent and rights-based United Nations responses to exclusion and discrimination. Of particular value is the Office's engagement to help ensure that human rights obligations are firmly embedded in cooperation frameworks and common country analyses, which offer a specific opportunity to examine the systemic drivers of exclusion and to address interlinkages across economic, social and environmental dimensions. There is huge potential to strengthen such engagement.

33. The increasing emphasis given to the role of culture in sustainable development, peace and stability, including to renew bilateral and multilateral cooperation,⁴⁰ is a recognition of the multidimensional nature of inequality. Cultural rights empower individuals and communities to express, build and/or rebuild their identities, fostering a sense of belonging and pride. They also play a vital role in promoting social inclusion and cohesion by acknowledging and valuing cultural diversity and the contributions of different persons and groups, thus reducing discrimination, marginalization and conflicts. Culture is a crucial enabler of sustainable development⁴¹ and the exercise of cultural rights is key to achieving the 2030 Agenda.⁴² Development can only be sustainable when it is shaped by the values of the people that it involves and the meaning that they ascribe to it, protects their resources and uses their heritage in all its dimensions. However, cultural rights are often sidelined in sustainable development strategies in which an economic lens is applied and cultural aspects such as values, world views, identities and diversity are paid too little attention.⁴³

34. OHCHR seeks to ensure that efforts to realize economic, social and cultural rights take into account the needs of culturally diverse communities and are appropriate and adaptable to those specific cultural needs.⁴⁴ OHCHR aims to promote a greater understanding of culture to encompass science, religion, the arts, academia and cultural heritage⁴⁵ and its role as a global public good⁴⁶ in promoting social cohesion and realizing other human rights.

35. OHCHR uses its convening power to support cultural rights. It advocates for participation in decision-making of culturally diverse communities, including in its engagement with national actors and with the United Nations, with the aim of ensuring that cultural dimensions are integrated into relevant processes and their implementation. This approach formed the basis of its participation in the World Conference on Cultural Policies and Sustainable Development held in Mexico City from 28 to 30 September 2022, at which OHCHR advocated for cultural development under the 2030 Agenda. OHCHR also collaborates with other United Nations agencies on a range of activities, including dialogues on freedom of expression, science, and cultural rights.

C. Ensuring an enabling environment

36. Realizing economic, social and cultural rights, reducing inequalities and achieving the 2030 Agenda requires putting in place channels for inclusive, meaningful and safe participation throughout all phases of economic, environmental and social policymaking and decision-making, in particular to promote and protect the participation of affected

⁴⁰ See Final Declaration of the World Conference on Cultural Policies and Sustainable Development, Mexico City, 28–30 September 2022.

⁴¹ General Assembly resolution 76/214.

⁴² [A/78/80-E/2023/64](#), para. 56.

⁴³ [A/77/290](#).

⁴⁴ *Ibid.*, para. 23. See also Committee on Economic, Social and Cultural Rights, general comment No. 14 (2000), para. 12 (c) and (d); and general comment No. 13 (1999), para. 6 (c) and (d).

⁴⁵ Committee on Economic, Social and Cultural Rights, general comment No. 21 (2009), para. 13.

⁴⁶ Global public goods are those issues that benefit humanity as a whole and that cannot be managed by any one State or actor alone ([A/75/982](#), para. 12).

individuals, groups and communities who are often left out of discussions. Participation strengthens outcomes, increasing gains for development, peace and security, as well as social cohesion and trust.⁴⁷

37. National human rights institutions are a key pillar of the domestic human rights institutional architecture. However, many national human rights institutions, including those accredited with A status by the Global Alliance of National Human Rights Institutions, may lack the capacity or resources to fully discharge their mandates in relation to economic, social and cultural rights. In this context, OHCHR has, for example, supported the national human rights institution and the Ombudsman of Uruguay in establishing an online economic, social and cultural rights crowdsourcing platform and has provided training on economic, social and cultural rights for national human rights institution staff.⁴⁸

38. OHCHR intends to provide more sustained and long-term support for national human rights institutions to engage fully across the entire range of activities they undertake, including creating baseline economic, social and cultural rights data and measuring progress towards the realization of those rights and the achievement of the 2030 Agenda. OHCHR aims to develop additional practical resources to be used by national human rights institutions in addressing economic, social and cultural rights concerns, such as how to ensure that human rights are considered in budgets and economic policy, methodological notes, best practices and lessons learned.

39. An enabling environment for the enhanced protection of economic, social and cultural rights also relies on an active and empowered civil society. Civil society organizations undertake a variety of activities that are essential for progress on such rights, including raising public awareness about them, advocating on behalf of those facing discrimination and seeking justice for rights violations and engaging the United Nations human rights mechanisms, including the individual communications procedures. As with national human rights institutions, however, the number of civil society organizations working with a focus on economic, social and cultural rights is not commensurate with the scale of current challenges, and those that do exist often lack sufficient resources and capacity.

40. Key to the Office's vision is extending its work in support of civil society organizations, including efforts to protect civic space. OHCHR is well placed to create and expand partnerships with social movements, trade unions, professional associations of journalists, health workers, lawyers, small-scale farmers and fishers, and informal workers. Through its technical and capacity-building programmes, OHCHR can support civil society organizations in building greater understanding of economic, social and cultural rights and in increasing knowledge and understanding of avenues for claiming rights and of international norms and standards relative to economic, social and cultural rights, thereby bolstering the interactions of such organizations with Governments. For example, in the Democratic Republic of the Congo, OHCHR supported a national non-governmental organization focused on addressing needs relevant to the pandemic responses and seeking more accountability with regard to access to information, transparency and participation in the management and use of funds and in rights-based budgeting. Working with the national human rights institution and parliamentary human rights committee, this project supported dialogue between communities and groups living in situations of marginalization and public authorities and encouraged the joint design of ways to address existing gaps.

41. Parliaments have a crucial role to play in securing economic, social and cultural rights, but significant gaps exist regarding the centrality of the protection of such rights to security and development, as well as the means by which the promise of better realization of those rights can be achieved. OHCHR is enhancing its engagement with parliaments on economic, social and cultural rights issues, including through a close partnership with the Inter-Parliamentary Union, as well as engagement with parliamentarians and their legal and policy advisers, in particular on the need for and avenues to achieve progress on economic, social and cultural rights. OHCHR pursues increased engagement by parliamentarians in the

⁴⁷ See [A/75/982](#).

⁴⁸ [A/HRC/51/51](#), para. 29.

universal periodic review, including to promote legislative and policy actions based on the recommendations of treaty bodies.⁴⁹

42. In addition, OHCHR seeks to increase its engagement with cities and local and regional governments to seize the opportunity for strengthening their implementation of economic, social and cultural rights obligations, as reflected in the recommendations of the United Nations human rights mechanisms. The Office envisages enhanced collaboration with relevant partners, such as the United Cities and Local Governments, to promote a human rights-based approach to their work.⁵⁰

43. Business enterprises also play a crucial role with regard to economic, social and cultural rights. While the private sector is a key provider of jobs, investment and innovation, irresponsible business practices result in economic, social and cultural rights abuses. Adherence to the Guiding Principles on Business and Human Rights can further progress on economic, social and cultural rights, but States, businesses and other actors often lack understanding of how to properly align policies and practices to ensure respect for those rights.

44. Many sectors still struggle with conducting engagement with stakeholders at risk of economic, social and cultural rights-related harms. OHCHR provides guidance, technical advice and capacity-building regarding implementation of the Guiding Principles on Business and Human Rights. Building on its global expertise on business and human rights, regional initiatives in Africa⁵¹ and Latin America,⁵² thematic focus on accountability and remedy⁵³ and sectoral focus on the technology sector,⁵⁴ OHCHR is well placed to expand work with business enterprises to further their understanding and implementation of their responsibility to respect economic, social and cultural rights and to support those seeking accountability and access to remedy for business-related abuses of those rights.

D. Addressing the role of international financial institutions

45. A conscious and systematic alignment of macroeconomic policies and financing decisions with human rights is the future.

46. While international financial and development finance institutions have begun to integrate human rights into their operational policies in various ways, the track record is uneven and there can be significant gaps between policy and practice. The practical relevance, scope and meaning of economic, social and cultural rights obligations are not always understood, and investments in those rights are frequently undermined by unwarranted conditionalities in investment and loan agreements and business models predicated upon private sector solutions as the default. Non-discrimination and accountability requirements are often weak, and structural policy conditionalities such as privatization may undercut economic, social and cultural rights in fundamental ways.

47. OHCHR engages with international financial institutions to address these concerns by encouraging the integration of human rights into safeguarding and sustainability policies, addressing issues of reprisals and remedy, and engaging with regard to other policies or projects that raise human rights concerns. For example, in Lebanon, OHCHR contributed to the development of a United Nations country team position paper on engagement with the International Monetary Fund, with a focus on the importance of a human rights-based approach to economic reforms and of the meaningful participation of all relevant stakeholders – including trade unions, employers and human rights, transparency and anti-corruption organizations – in the design and the regular review of reforms. The paper included recommendations on, among others, compliance with the obligation and principle of non-

⁴⁹ See <https://www.ohchr.org/en/hr-bodies/upr/parliaments>.

⁵⁰ See <https://www.ohchr.org/en/about-us/what-we-do/partnership/local-governments>.

⁵¹ See <https://www.ohchr.org/en/business/bhr-africa>.

⁵² See <https://empresasyderechoshumanos.org/>.

⁵³ See <https://www.ohchr.org/en/business/ohchr-accountability-and-remedy-project>.

⁵⁴ See <https://www.ohchr.org/en/business-and-human-rights/b-tech-project>.

retrogression of economic, social and cultural rights in the context of austerity measures, the expansion of social protection and the need for progressive taxation.

48. In the United Nations and World Bank *Pathways for Peace* report,⁵⁵ it was compellingly demonstrated that development efforts require urgent refocusing on prevention. It was noted that inclusion, institutional reform, grievance redress and greater participation are essential to addressing root causes of violent conflict and State fragility. However, the barriers to systemic change are deeply rooted and require increased capacities to engage with Member States and international financial institutions and their governing bodies on options for increased policy and fiscal space, including through a more just distribution of the International Monetary Fund's special drawing rights. Expanded collaboration with these actors could have a significant positive influence on, among others, domestic resource mobilization, redistribution of income and the addressing of wealth inequalities in investment decisions, business models and transforming consumer choices. Moreover, a reformed international financial architecture could help advance the rights and vital interests of people, supporting the realization of human rights and the implementation of the Sustainable Development Goals.⁵⁶

E. Harnessing the power of data to protect economic, social and cultural rights and achieve the 2030 Agenda

49. Protecting economic, social and cultural rights and achieving the 2030 Agenda rely on quality data, as any insufficient understanding of either the nature or the scope of the current landscape stands in the way of finding the most effective ways to address gaps. Detailed data analysis is critical for a robust assessment of the economic, social and cultural rights situation and the development of targeted and effective policies based on evidence. The lack of updated, quality and disaggregated data obscures inequalities and stands in the way of fulfilling the commitment to leave no one behind. Strengthened data collection and analysis based on human rights is a foundation for building more inclusive and effective policies and programmes to make progress in the achievement of the Sustainable Development Goals, reduce inequalities and realize human rights. Well-articulated data and indicators also help create broader consensus on social priorities by improving public understanding of constraints and policy trade-offs.

50. OHCHR has developed a crucial foundation for data collection and analysis to support human rights advancement and protection, such as its human rights indicators guide⁵⁷ and a guidance note on a human rights-based approach to data.⁵⁸ In the past five years, OHCHR has seen a steady increase in the demand for human rights indicators⁵⁹ from a variety of stakeholders, agendas and workstreams, cutting across development, peace and security and humanitarian work. There have been efforts to improve the generation, disaggregation and use of indicators, including those on the Sustainable Development Goals, COVID-19 response and recovery, United Nations development programming, early warning and risk analysis, and to broaden the application of statistical techniques to assess and measure human rights issues.

51. Building bridges between statistical experts and human rights experts can enhance efforts to harness data in support of economic, social and cultural rights. To date, OHCHR has built collaborative work between national human rights institutions and national statistical offices in 13 countries with the aim of integrating human rights into data collection, disaggregation and analysis to help implement the commitment to leave no one behind. These

⁵⁵ *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict* (World Bank, Washington, D.C., 2018).

⁵⁶ United Nations, "Reforms to the international financial architecture", *Our Common Agenda*, Policy Brief No. 6, May 2023, p. 3.

⁵⁷ *Human Rights Indicators: A Guide to Measurement and Implementation* (2012).

⁵⁸ "A human rights-based approach to data: leaving no one behind in the 2030 Agenda for Sustainable Development" (2018).

⁵⁹ The conceptual and methodological framework guiding the work of OHCHR on human rights indicators is outlined in *Human Rights Indicators: A Guide to Measurement and Implementation*.

efforts can be expanded to engage organizations working for non-discrimination and equality to enhance the visibility in data of groups at risk of being left behind.

52. Further work needs to be done and indicators need to be developed that support the measurement and realization of economic, social and cultural rights, with the aim of examining and better understanding how progress can be accelerated. During the pandemic, a framework of 10 human rights indicators to assess and mitigate the impact of the pandemic on human rights developed by OHCHR provided guidance to States and the United Nations system on what to look for in assessing pandemic responses and recovery.⁶⁰ Additional efforts in relation to data are also needed to support the achievement of Goal 10, on reduced inequalities, and the related commitment to leave no one behind. OHCHR is able to complement the existing Sustainable Development Goal indicators framework by supporting States to measure and address inequalities and the multidimensional characteristics of poverty,⁶¹ and to increase the visibility of groups that are at risk of being left behind and to recognize diversity among groups and communities.⁶² Additional support could also assist States in providing disaggregated data for the purpose of accurately measuring their progressive realization of economic, social and cultural rights, as well as developing data analytics, visuals and other information relevant to economic, social and cultural rights.

53. An increased use of OHCHR analysis could contribute to tackling discriminatory laws, policies and social practices and to a timely assessment of situations. OHCHR pays special attention to risk factors including severe inequality, lack of access to effective grievance mechanisms, lack of meaningful consultations, shrinking civic space and restricted media freedom.⁶³ OHCHR is well placed to actively engage on identifying and addressing economic, social and cultural rights violations as root causes of many conflicts, and to support States in taking mitigating measures.⁶⁴

IV. Operationalizing the OHCHR vision for expanded economic, social and cultural rights work

54. As the world meets to consider how to scale up achievement of the Sustainable Development Goals, every lever that exists for accelerating progress needs to be employed. Better integration of human rights offers immense untapped potential for increasing the sustainability and pace of development efforts. Conversely, recent experience has amply demonstrated that failures to advance economic, social and cultural rights and address inequalities stand in the way of progress on the 2030 Agenda.

55. This is a critical moment for OHCHR to expand its contribution to progress on the Sustainable Development Goals through supporting the realization of economic, social and cultural rights. The Office has proven methodologies and a deep understanding of how to contribute to advances on economic, social and cultural rights but lacks the resources to scale up its work in response to demands from States, national human rights institutions, civil society and the United Nations system. Given the wide-ranging economic, social and cultural rights-related challenges identified and the added value that OHCHR can provide, a substantial increase in its current capacity is necessary.

⁶⁰ United Nations, “A UN framework for the immediate socio-economic response to COVID-19” (2020), annex I.

⁶¹ See OHCHR, “Guidelines on extreme poverty and human rights”.

⁶² OHCHR, in coordination with United Nations country teams and resident coordinator’s offices, has supported collaboration between human rights and statistics organizations in several countries, including Bosnia and Herzegovina, Brazil, Kenya, the Republic of Moldova, the Philippines and Thailand, as well as the State of Palestine.

⁶³ See E/2016/58.

⁶⁴ For example, in 2021, OHCHR and the Commissioner for Human Rights of Honduras developed a strategic plan to monitor cases of human rights violations and designed an early warning mechanism. The development of the early warning system was focused, in its first stage, on operating in the electoral context, to be extended later to economic, social and cultural rights, with the purpose of being permanently used by the Commissioner as a tool for the prevention of human rights violations (A/HRC/51/51, para. 33).

56. Over the coming two years, OHCHR seeks to build on its existing work and expand its capacity in each of the five areas set out in the previous section. These five components are interconnected and mutually reinforcing – work on data, for example, will support each of the other four areas. This expansion would draw directly from the lessons learned through the Office’s current programming, focusing on areas where demand is greatest and substantial results are achievable.

57. The current geographical footprint of OHCHR involves an array of different field presences with varying capabilities and programmes: regional offices, country offices of different sizes, country projects, human rights advisers in resident coordinator’s offices and sizable human rights components in peace missions. The capacity of each of these different field presences to support progress on economic, social and cultural rights needs to be strengthened, recognizing the diversity of approaches needed, depending on the setting.

58. OHCHR aims to deepen its ability to provide technical support on specific economic, social and cultural rights through dedicated teams, with members spread between headquarters, regional and country presences. Expertise on particular rights would no longer be concentrated in headquarters, but be based within teams that stretch across regions. Specialized expertise relating to economic, social and cultural rights would be enhanced, among other areas, in employment, labour rights, social security and health; housing, land and property; access to basic services, food, water and sanitation; education; and cultural rights, science and technology.

59. OHCHR would conduct projects relating to particular economic, social and cultural rights on the basis of its own in-depth analysis and States’ requests for technical cooperation and also in partnership with other United Nations entities. The specific aspects of the programme in each location would be carefully tailored to align with the opportunities, context and partnerships that the Office has or develops with other actors.

60. At the regional level, economic, social and cultural rights capacity would engage with regional organizations and mechanisms, such as regional commissions and the regional collaborative platforms,⁶⁵ and other actors working on economic, social and cultural rights. The regional teams would also be responsible for supporting economic, social and cultural rights in countries where OHCHR does not have a field presence.

61. At the global level, OHCHR would support effective cross-regional learning and the development of relevant tools and expertise, while bringing its experience to bear in efforts to achieve the 2030 Agenda. Work relating to international financial institutions and to data and human rights indicators would be expanded to engage more broadly and with a wider range of actors.

62. The expansion of the Office’s economic, social and cultural rights capacity and expertise would take place in a phased manner, bearing in mind administrative and absorption constraints. Within the first year of the programme, economic, social and cultural rights teams in at least five regional hubs would be established, allowing for a more sustainable approach that builds the Surge Initiative into an ongoing and sustainable element of work. This would provide not only a solid foundation for engagement with regional institutions, but also an efficient starting point for strengthened country-level work. During the first year, national level efforts would focus on 10 to 12 countries in which OHCHR already has a field presence and sees substantial opportunities for expanding its economic, social and cultural rights work. These pilot efforts would be replicated in a wider range of country contexts in subsequent years. OHCHR is also keen to build on its experience of deploying national human rights advisers within United Nations country teams and would rely on this strategy in locations where it does not have a field presence.

63. At both the regional and the country levels, OHCHR would expand its multidisciplinary approach, bringing together economic, social and cultural rights experts, sustainable development experts and macroeconomists. These would be supported by data and indicators experts. Functions for the teams would include supporting States in developing fiscal policies, including budgeting and taxation, that integrate human rights and help build

⁶⁵ See, for example, <https://unsdg.un.org/un-in-action/rcp-asia-and-pacific?tab=countries-listing>.

human rights economies. OHCHR economists working within these teams would complement and support economists currently placed in resident coordinator's offices, as they bring specialized experience that goes beyond traditional neoclassical training.

64. A particular effort is needed to strengthen the work of OHCHR relating to cultural rights, where limited capacity currently exists despite growing demands and recognition of the need for the systemic anchoring of culture in public policies.⁶⁶ In particular, OHCHR would seek to provide context-specific technical assistance to States in developing and implementing strategies, policies and programmes that fully respect and realize the cultural rights of individuals and communities, without discrimination, in particular in the context of new challenges such as digital transformation, the acceleration of migration and the rise in protracted conflicts.

65. In all of these areas, OHCHR would deepen its partnerships with lead United Nations entities, providing expert advice and support on developing and implementing human rights-related initiatives. This engagement would strengthen delivery, as integrating OHCHR expertise into specialized work is more efficient than building up new capacity and comes with the added advantage of linking easily with related rights and expertise that may be outside the scope of the particular project or agency.

66. The Office's work with international financial institutions is currently led by a senior expert but with limited additional support. Recent experience has shown the importance of engaging with regional and bilateral (as well as global) development finance institutions, and the potential impact of providing greater support to field presences regarding engagement with international financial institutions. OHCHR would enhance its engagement with these institutions to strengthen their operational policies and access to remedy for investment projects. Increased support to field presences engaging with international financial institutions is envisaged, in particular in the Latin American, African and Asia and Pacific regions. OHCHR would also strengthen its policy engagement with international financial institutions and States Members of the United Nations to ensure that macroeconomic policies and financing decisions are in line with human rights standards and principles, with the aim of contributing to advancing a more equitable global financial ecosystem.

67. The work of OHCHR to address the adverse human rights impacts of business activities is also critical to the protection of economic, social and cultural rights. The Office's small global team provides expert guidance on State duties and business responsibilities under the Guiding Principles on Business and Human Rights. The team's focus on accountability and remedy, as well as on meaningful stakeholder engagement, is influential, but resources to operationalize and provide support to States, businesses and other actors at the regional and company level are limited. Further support would allow OHCHR to scale up this important work, for instance through the establishment of a business and human rights help desk to provide authoritative interpretive advice on the Guiding Principles and economic, social and cultural rights.⁶⁷

68. The work of OHCHR in all these areas depends on leveraging data more effectively. Expanded data and indicators capacity would enhance the Office's evidence-based approach, help Governments to establish baselines, support national statistics authorities to promote the commitment to leaving no one behind in the national census and other processes and help establish disaggregated measures to inform decision-making, thereby improving people's living standards and equality of opportunities in line with the Universal Declaration of Human Rights. Efforts to accelerate the progressive realization of economic, social and cultural rights, the reduction of poverty, inequality and the elimination of discrimination must be supported by solid data collection, indicators and analysis.

69. To respond to rising demands for the facilitation of knowledge and experience-sharing, as well as to elevate the visibility of results of the work of OHCHR on economic, social and cultural rights, additional resources would be dedicated to knowledge management, the development of global practical guidance on the realization of economic,

⁶⁶ Final Declaration of the World Conference on Cultural Policies and Sustainable Development, para. 11.

⁶⁷ [A/HRC/53/24](#), paras. 71 and 85 (c).

social and cultural rights, training and capacity-building methodologies and tools, and outreach and communications. This would include capacity aimed at deepening partnerships with United Nations entities and international organizations working on economic, social and cultural rights, as well as with national human rights institutions. It will help ensure knowledge-sharing, including through normative guidance and best practices materials developed at headquarters and practical experiences in countries and the opportune sharing throughout the global structure.

V. Conclusions and recommendations

70. Economic, social and cultural rights are paramount to guiding Governments and societies in transformative action towards an inclusive, better and sustainable future for all. The potential of these rights is enormous.

71. As set out in the present report, the exigencies of the post-COVID-19 pandemic recovery and the prevailing socioeconomic circumstances underscore the urgent need for decisive action to protect and promote economic, social and cultural rights by States and all stakeholders, including the United Nations system.

72. Recalling the conclusions contained in its previous report,⁶⁸ the High Commissioner:

(a) Requests that the Human Rights Council give favourable consideration to the need to reinforce the work of OHCHR in promoting and protecting economic, social and cultural rights, as outlined in the present report;

(b) Calls upon Member States and other stakeholders to continue strengthening the role of OHCHR as a valuable contributor to both the United Nations development system and broader United Nations development efforts;

(c) Urges Governments, international financial institutions, businesses, investors and consumer associations to consistently integrate economic, social and cultural rights into their policies and practices, leveraging them as a road map to address national, regional and global challenges and achieve a more stable, inclusive, green and just future.

⁶⁸ [A/HRC/51/20](#), paras. 56–61.