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Update for the Committee on Economic, Social and Cultural Rights

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Committee Overview

Recent Developments

The most recent session of the Committee on Economic, Social and Cultural Rights (CESCR) occurred in October 2015.¹ The Committee is preparing for key events in 2016, such as its upcoming 57th session, which will convene from 22 February to 4 March 2016 in Geneva, Switzerland, and the election of one half of its Members.² CESCR is composed of 18 Members, each serving a term of 4 years, some of which will expire at the end of 2016.³ Current Members States will nominate new members in April 2016 to fill the open positions.⁴

Even more importantly, in addition to recent developments from CESCR, the international system saw critical developments with the the implementation of the new Sustainable Development Goals (SDGs) adopted by the United Nations (UN) General Assembly in September 2015.⁵ The SDGs entered into effect on 1 January 2016.⁶ Several SDGs have a great impact on implementing economic, social, and cultural (ESC) rights such as the quality of education; gender equality; economic growth; reduced inequality; and industry, innovation and infrastructure.⁷ These basic rights are crucial for fulfilling ESC rights, particularly SDG 8, which promotes economic growth, employment, and work for all.⁸ This goal directly ties to articles 6 and 7 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), which highlights the importance of the right to work.⁹ The impact of SDG 8 and the entirety of the 17 Goals and 169 targets will certainly play a role at the 57th session of CESCR in 2016.¹⁰

Before the CESCR election process occurs at the 57th session, reports will be considered and debated, such as those from Canada, Kenya, and Namibia, all of which were submitted in previous years, but which also provide interesting examples of the information brought to the committee and the connection to the new SDGs.¹¹ Each report consists of specific achievements and concerns that Member States are facing from CESCR related to ESC rights issues.¹²

Kenya's latest report provides responses to several questions and advice that CESCR previously offered in its Concluding Observations of November 2008 (E/C.12/KEN/CO/1), including providing equality to women in the country.¹³ In 2008, CESCR highlighted that Kenya should make sure its 2010 constitution guarantees equal rights to women, and recommended that Kenya work to raise public awareness against local traditions that discriminate against women, to which Kenya responded in detail in its report outlining steps that protect these rights and those of other groups in the country.¹⁴ The majority of women in Kenya work in agriculture and many still face inequality issues such as unfair wages and inferior education.¹⁵ Addressing this issue is crucial for fulfilling SDG 8, which aims to increase employment and decent work for all.¹⁶ Additionally, some of SDG 8's targets include the protection

¹ UN OHCHR, *Committee on Economic, Social and Cultural Rights*, 2016.

² Ibid.; UN OHCHR, *CESCR - International Covenant on Economic, Social and Cultural Rights: 57 Session (22 Feb 2016 - 04 Mar 2016): General Documentation*.

³ UN OHCHR, *Election of the Members of the Committee on Economic, Social and Cultural Rights to replace those whose terms are due to expire on 31 December 2016*, 2016.

⁴ Ibid.

⁵ UN DPI, *Sustainable Development Goals*, 2015.

⁶ Ibid.

⁷ Ibid.

⁸ UN DPI, *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all*, 2015.

⁹ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966.

¹⁰ UN DPI, *Sustainable Development Goals*, 2015.

¹⁰ UN DPI, *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all*, 2015.

¹¹ UN OHCHR, *CESCR - International Covenant on Economic, Social and Cultural Rights: 57 Session (22 Feb 2016 - 04 Mar 2016): General Documentation*.

¹² UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Combined second to fifth periodic reports of States parties due in 2013: Kenya (E/C.12/KEN/2-5)*, 2014.

¹³ UN CESCR, *Consideration of reports submitted by States parties under articles 16 And 17 of the Covenant: Kenya (E/C.12/KEN/CO/1)*, 2008.

¹⁴ Kenya Information Guide, *Kenya Constitution*, 2010; UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Combined second to fifth periodic reports of States parties due in 2013: Kenya (E/C.12/KEN/2-5)*, 2014.

¹⁵ Foundation for Sustainable Development, *Gender Equality Issues in Kenya*.

¹⁶ UN DPI, *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all*, 2015.

of labor rights for women migrants and achieving decent work conditions for women, making the review of Kenya's 2013 report ever more imperative in 2016.¹⁷

Similarly, in response to CESCR's concerns of achieving gender equality, especially in the work sphere, Namibia reaffirms in its report that its constitution does protect the rights of all people.¹⁸ Further, Namibia states that many government officials are working toward achieving higher participation of women in politics, leading to an increase to 40% of women serving elected office, and in some areas even 50%.¹⁹ Additionally, Canada's latest report highlights its efforts to ensure the right to work even though an economic recession it faced between 2005 and 2009.²⁰ In 2015, CESCR published a "List of issues" report (LOI) that highlights issues faced by Canada, one of which concerns the divergence between indigenous and non-indigenous groups in Canada.²¹ CESCR has requested further elaboration on Canada's previous reports (E/C.12/CAN/CO/4 and E/C.12/CAN/CO/5) in light of this issue and specifically asked Canada to improve efforts that guarantee ESC rights to indigenous groups, especially having access to education, health care, and housing.²² Given the critique of the SDGs – that indigenous groups were largely overlooked – this concern from CESCR represents a significant issue ahead of the 57th session.²³

In conclusion, the review of Members' reports will be a vital component of CESCR's 57th session and will include discussion both of the successes and failures made thus far. With the adoption of the SDGs and the upcoming events of the committee, CESCR will be able to better monitor the implementation of the ICESCR and help the promotion of ESC rights for all people worldwide, thus remaining a pivotal actor for the future of sustainable, rights-based development.²⁴

¹⁷ UN DPI, *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all*, 2015.

¹⁸ UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Initial reports of States parties due in 1997: Namibia (E/C.12/NAM/1)*, 2015.

¹⁹ *Ibid.*

²⁰ UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Sixth periodic reports of States parties due in 2010: Canada (E/C.12/CAN/6)*, 2013.

²¹ UN CESCR, *List of issues in relation to the sixth periodic report of Canada (E/C.12/CAN/Q/6)*, 2015.

²² *Ibid.*

²³ Glennie, *Why are indigenous people left out of the sustainable development goals?*, 2014.

²⁴ UN OHCHR, *Monitoring the economic, social and cultural rights*, 2016.

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United Nations, Department of Public Information. (2015). *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all* [Website]. Retrieved 29 January 2016

from: <http://www.un.org/sustainabledevelopment/economic-growth/>

The SDGs are the main framework for eradicating poverty around the world by 2030. SDG 8 focuses on promoting economic growth, employment and decent work for all. This source discusses the important aspects of the goal presenting statistics, targets of the goal, and recent events that relate to the goal. The page highlights the importance of increasing employment for the almost 2.2 billion people live in poverty. Some targets include the promotion of policies that will support economic growth, increase employment for the youth, and will protect labor rights.

United Nations, Department of Public Information. (2015). *Sustainable Development Goals* [Website]. Retrieved 9 January 2016 from: <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

The Sustainable Development Goals (SDGs) are the newest achievement of the United Nations and a crucial achievement. SDG 8 aims to eradicate poverty, which explores the issue with depth and establishes the most pressing goals that will help the reduction of poverty in the world. SDG 8 also focuses on promoting “sustainable employment and decent work for all,” which connects with the right to work defended by articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). This website is a great source for delegates to learn more about the new SDGs, brainstorm how they can affect the promotion of economic, social, and cultural rights, and develop new ideas how the Committee on Economic, Social and Cultural Rights can help fulfill the SDGs while monitoring the implementation of the ICESCR.

United Nations, Office of the High Commissioner for Human Rights. (n.d.). *CESCR - International Covenant on Economic, Social and Cultural Rights: 57 Session (22 Feb 2016 - 04 Mar 2016): General Documentation* [Website]. Retrieved 10 January 2016

from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1012&Lang=en

This website contains important information about the upcoming 57th session of CESCR, which will occur from the end of February to the beginning of March. During the next session, reports submitted by Canada, Kenya, and Namibia will be considered. Through this site, delegates have access to all reports, lists of issues and other documents submitted by these Member States prior to the 57th session. The page also contains other documents from Bulgaria, Spain, and New Zealand that have general information about each of these Member States, though do not yet contain their reports responding to lists of issues documents.

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United Nations, Committee on Economic, Social and Cultural Rights. (2015). *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Initial reports of States parties due in 1997: Namibia (E/C.12/NAM/1)* [Report]. Retrieved 19 January 2016 from: <http://undocs.org/E/C.12/NAM/1>

United Nations, Committee on Economic, Social and Cultural Rights. (2015). *List of issues in relation to the sixth periodic report of Canada (E/C.12/CAN/Q/6)* [Report]. Retrieved 29 January 2016 from: <http://undocs.org/E/C.12/CAN/Q/6>

United Nations, Department of Public Information. (2015). *Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all* [Website]. Retrieved 29 January 2016 from: <http://www.un.org/sustainabledevelopment/economic-growth/>

United Nations, Department of Public Information. (2015). *Sustainable Development Goals* [Website]. Retrieved 9 January 2016 from: <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

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I. Addressing Workers' Rights for Sustainable Economic Growth

Recent Developments

The Committee on Economic, Social and Cultural Rights (CESCR) did not convene in late 2015, but prepared for its upcoming 57th session by receiving several reports from its Member States and publishing list of issues reports with regards to economic, social, and cultural rights (ESC) in seven Member States.²⁵

CESCR has asked Namibia to provide details on what the country has been doing to improve the right to work, to combat unemployment, and to address the importance of helping the most vulnerable populations such as women and persons with disabilities.²⁶ Namibia replied in its report (to be discussed at the upcoming session) that its unemployment rate is of major concern, totaling 37% of the potential labor force, affecting more young people than old, and with 44.7% of the unemployed living in rural areas.²⁷ Namibia argues that some measures by the international community, specifically statistical guidelines, have not helped its unemployment rate.²⁸ Namibia also stated that projects are being created that will help people find jobs, especially women and youth.²⁹

CESCR will also consider the report from Burkina Faso in the upcoming session.³⁰ With regards to workers' rights, CESCR asked Burkina Faso to provide unemployment statistics, information about steps taken to improve professional trainings, working conditions, and a better minimum wage.³¹ Burkina Faso replied in its report that there was progress in fulfilling the right to work for its populations, including a fund created in 2008 that enabled thousands of students to get professional education and later find jobs.³² Burkina Faso also reported a focus on increasing its agricultural sector, creating more jobs and opportunity for workers in rural areas, and incorporating measures to promote the inclusion of women in the agricultural workforce, increasing job opportunities for women.³³

A full examination of these issues at the committee's 57th session aligns with CESCR's mandate to oversee Member States' implementation of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), especially articles 6 and 7 on the right to work, and corresponds with Sustainable Development Goal (SDG) 8, promoting employment and decent work for all.³⁴ Achieving SDG 8 will also include work to prevent violation of labor rights such as forced labor and human trafficking.³⁵ In order to keep pace with population growth during the next 15 years, an estimate of over 600 million jobs must be created.³⁶ Thus, continued progression and monitoring of the implementation of ICESCR is vital.

Recently in 2015, the World Bank released new statistics on global economic growth that show the world's economy slowed down by 2.4%.³⁷ This deceleration occurred especially in emerging economies, where ESC rights are also developing.³⁸ A stable economy is essential for people to enjoy the right to work, and in times of crisis, poverty and unemployment rise.³⁹ Furthermore, the International Labour Organization's (ILO) recent report "World Employment and Social Outlook: Trends 2016" discusses issues relating to the current economic situation around

²⁵ UN OHCHR, *Committee on Economic, Social and Cultural Rights*, 2016.

²⁶ UN CESCR, *List of Issues in Relation to the Initial Report of Namibia (E/C.12/NAM/Q/1)*, 2015.

²⁷ UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Initial reports of States parties due in 1997: Namibia (E/C.12/NAM/1)*, 2015.

²⁸ Ibid.

²⁹ Ibid.

³⁰ UN CESCR, *Fifty-sixth Session: annotated provisional agenda (E/C.12/56/1)*, 2015.

³¹ UN CESCR, *List of issues in relation to the initial report of Burkina Faso (E/C.12/BFA/Q/1)*, 2015.

³² UN CESCR, *Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights: Initial reports of States parties due in 2000: Burkina Faso (E/C.12/BFA/1)*, 2015.

³³ Ibid.

³⁴ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966; UNDP *Sustainable Development Goals*.

³⁵ UNDP, *Goal 8: Decent work and economic growth*, 2016.

³⁶ ILO, *Decent work and the 2030 Agenda for sustainable development*, 2016.

³⁷ UN DPI, *World Bank Downgrades Global Growth in 2016; Cites Slowdown in Major Emerging Economies*, 2016.

³⁸ Ibid.

³⁹ UN CESCR, *General Comment No. 18: The Right to Work (E/C.12/GC/18)*, 2005.

the globe and analyzes policies that can help employment.⁴⁰ The report presents concerns about the global economy, which only grew 3.1% in 2015 due to the deceleration of emerging economies.⁴¹ This economic decline caused an increase in unemployment around the globe, challenging the right to work of many people.⁴² In particular, women, people with disabilities, and youth suffer more during such situations because of several factors: Cultural traditions and/or limited resources that result in many women not working outside the home; many Member States not having proper infrastructure to provide employment for persons with disabilities; as well as few job opportunities for young people, causing them to pursue informal employment.⁴³

Within the international system, in late 2015 the Trans-Pacific Partnership (TPP) was agreed upon.⁴⁴ The TPP involved several Member States such as Chile, Australia, Mexico, Peru, the United States of America, Singapore, and Vietnam, among others.⁴⁵ This new trade deal's goal is to encourage economic growth in the region by adopting measures that will facilitate economic trade among those countries.⁴⁶ The TPP recognized the importance of labor rights transparency and agreed to protect workers' rights through maintaining existing and adopting new policies and practices and it is expected to help workers by creating new jobs and protecting them from worker's rights violations.⁴⁷

The TPP and future agreements such as these are vital for the recuperation of many economies after the global economic crisis.⁴⁸ Stronger economies can help Member States better secure and protect labor rights and full employment for all.⁴⁹ As the international community begins the implementation of the SDGs, incorporating workers' rights into economic policies remains a vital and imperative facet of the process for achieving sustainable economic growth.

⁴⁰ ILO, *World Employment and Social Outlook: Trends 2016*, 2016.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ United States, *Summary of the Trans-Pacific Partnership Agreement*, 2015.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Compa, *How to Make the Trans-Pacific Partnership Work for Workers and Communities*, 2016.

⁴⁸ ILO, *World Employment and Social Outlook: Trends 2016*, 2016.

⁴⁹ Ibid.

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This report is the most recent publication of the International Labour Organization, a UN agency that handles issues connected to labor in the international system such as slavery, forced labor, child labor, and human trafficking. This report summarizes economic development in 2015 and explores policies, social outcomes, and employment opportunities that help protect labor rights. Some major concerns stated include the world economic decline in 2015, especially in developing Member States, where achieving decent working conditions is becoming more difficult. The report further analyzes different regions of the world, pointing out their achievements and struggles such as the modest economic recovery of many European states, the continuous growth of Western Asia but the slowdown of Russia, the decline of the Chinese economy as well as many Latin American countries, and the decrease in oil prices.

United Nations, Committee on Economic, Social and Cultural Rights. (2005). *General Comment No. 18: The Right to Work (E/C.12/GC/18)*. Retrieved 10 January 2016 from: <http://undocs.org/E/C.12/GC/18>

The Committee on Economic, Social and Cultural Rights created several documents titled “General Comments” where the committee lays out the importance of several different aspects of economic, social, and cultural rights. General Comment No. 18 focuses on the right to work and is a valuable source for delegates to learn more in depth about the issue. The document discusses the importance of employment, gender equality on the work sphere, the right to work of younger persons, child labor, the importance of considering persons with disabilities, and migrant workers. The document further highlights the obligations that Member States have with regards to rights such as prohibiting forced and child labor, protecting minority groups, and working towards full employment.

United Nations Development Programme. (2016). *Goal 8: Decent work and economic growth* [Website]. Retrieved 30 January 2016 from: <http://www.undp.org/content/undp/en/home/sdgoverview/post-2015-development-agenda/goal-8.html>

This website contains information on the 2030 Agenda for Sustainable Development and the new SDGs. This specific page presents an overview of SDG 8 and discusses the importance of achieving a sustainable economic growth and improving working conditions to all. The page also contains links to current work that United Nations Development Programme is undergoing in order to help achieve the goal such as helping the empowerment of women in Iran, finding solutions that help protecting young people, training and skills development of convicts in Uruguay, and others. The page also leads to more discussion about the other SDGs. This page is ideal for delegates that are researching specifically about SDG 8 and current developments on the issue.

United Nations, Office of the High Commissioner for Human Rights. (n.d.). *List of Issues* [Website]. Retrieved 10 January 2016 from:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=18

This website is the main page for finding a lists of issues, one of the major types of documents created by the Committee on Economic, Social and Cultural Rights. The Committee, when analyzing a Member State and its economic, social, and cultural rights implementation, creates a list of major concerns and questions that the committee asks the Member States. This list is a main document for holding Member States accountable with regards to the protection of economic, social, and cultural rights. At this page, delegates can browse any List of issues published by the committee and better learn what the major issues are globally and in their own state.

United States, Office of the United States Trade Representative. (2015, October 4). *Summary of the Trans-Pacific Partnership Agreement*. Retrieved 30 January 2016 from: <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2015/october/summary-trans-pacific-partnership>

In October 2015, the conclusion of the Trans-Pacific Partnership (TPP) negotiations was announced. This agreement among Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States, and Vietnam aims to improve economic development in the region. This website is a great source for delegates to learn more about the TPP and its impact on this topic. This source summarizes the key features such as inclusive trade, regional integration, and addressing trade challenges, and discusses important aspects of the agreement, for instance environmental protection, labor rights, transparency, and capacity building, among others.

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United Nations, Office of the High Commissioner for Human Rights. (n.d.). *List of Issues* [Website]. Retrieved 10 January 2016 from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=18

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II. Preserving Cultural Rights of Ethnic Minorities

Recent Developments

From facilitating dialogue among Member States to partnering with regional and civil society organizations (CSOs), the United Nations (UN) system is continuing to advocate for ethnic minorities' cultural rights. During the UN General Assembly's (GA) 70th session, GA resolution 70/1 *Transforming Our World: The 2030 Agenda for Sustainable Development* was adopted, which identifies 17 Sustainable Development Goals (SDGs) and 169 targets of those goals.⁵⁰ Preserving ethnic minorities' cultural rights includes strengthening inclusiveness within and among Member States and ensuring that no one is left behind in the sustainable development process.⁵¹ Yet, promoting individuals' equal rights to participate in cultural activities was not specifically mentioned in the SDGs; it was, however, mentioned as a target under some of the 17 goals.⁵² Target 2 of Goal 10 asks Member States to promote all aspects of inclusion in society for all, regardless of ethnicity, race, or any status by 2030.⁵³ Target 4 of Goal 11 emphasizes the significance of preserving all cultural heritages worldwide in the process of sustainable urbanization.⁵⁴ In the field of education, Target 5 of Goal 4 also highlights the importance of ensuring ethnic minorities' equal access to all level of education.⁵⁵ Gender equality is a significant emphasis of the SDGs and is also included in protecting indigenous people's cultural rights.⁵⁶ Both Targets 5 and 8 of Goal 5 promote women's right to equal participation in cultural activities and equal access to resources, such as technology, in public life.⁵⁷ Overall, the SDGs recognize all individuals' cultural rights as a part of their basic human rights, and require national, regional, and global levels of effort and cooperation in order to achieve the realization of ensuring the rights of all individuals, including ethnic minorities' cultural rights.⁵⁸

Throughout the GA's 70th session, indigenous people's cultural rights were discussed in multiple meetings on sub-topics such as human rights, cultural diversity, and promoting linguistic rights of ethnic minorities.⁵⁹ The GA Third Committee's report on "Rights of indigenous peoples" was adopted by that body on 1 December 2015, and was then adopted by the GA Plenary as GA resolution 70/232 on 23 December 2015.⁶⁰ In this document, the Third Committee decided to expand the mandate of the UN Voluntary Fund for Indigenous People to allow its assistance in ethnic minorities' participation in the UN system.⁶¹ The Third Committee also urged Member States to intensify and strengthen existing initiatives to empower ethnic minorities to fully, effectively, and equally participate in cultural life.⁶² The GA Plenary adopted the GA Second Committee's report on "Globalization and interdependence: culture and sustainable development" as GA resolution 70/214 on 22 December 2015, in which the crucial role of culture as a driver and implementer in sustainable development was accented.⁶³ The document invites all Member States to raise awareness of the public influence of cultural diversity and continue building capacity to further support ethnic minorities' participation in society.⁶⁴ In addition, the GA also adopted a resolution requesting that all Member States ensure that indigenous peoples, including women and children, can freely participate in society and exercise their cultural rights without suffering discrimination.⁶⁵ Gender sensitivity and women's empowerment is not a matter of a specific part of the population, but part of the empowerment of human rights for all.⁶⁶ As one of the

⁵⁰ UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

⁵¹ UN General Assembly, *Globalization and interdependence: culture and sustainable development (A/70/474/Add.3)*, 2015, p. 5.

⁵² UN DPI, *Sustainable Development Goals*, 2015.

⁵³ UN DPI, *Goal 10: Reduce inequality within and among countries*, 2015.

⁵⁴ UN DPI, *Goal 11: Make cities inclusive, safe, resilient and sustainable*, 2015.

⁵⁵ UN DPI, *Goal 4: Ensure inclusive and quality education for all and promote lifelong learning*, 2015.

⁵⁶ UN DPI, *Goal 5: Achieve gender equality and empower all women and girls*, 2015.

⁵⁷ *Ibid.*

⁵⁸ UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, pp. 33-34.

⁵⁹ UN General Assembly, *Resolutions: 70th session*, 2015.

⁶⁰ UN General Assembly, *Rights of indigenous peoples (A/70/486)*, 2015; UN General Assembly, *Resolutions: 70th session*, 2015.

⁶¹ UN General Assembly, *Rights of indigenous peoples (A/70/486)*, 2015, p. 6.

⁶² *Ibid.*, p. 7.

⁶³ UN General Assembly, *Globalization and interdependence: culture and sustainable development (A/70/474/Add.3)*, 2015, p. 5; UN General Assembly, *Resolutions: 70th session*, 2015.

⁶⁴ UN General Assembly, *Globalization and interdependence: culture and sustainable development (A/70/474/Add.3)*, 2015, p. 6.

⁶⁵ UN General Assembly, *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/70/489/Add.2)*, 2015, p. 145.

⁶⁶ UN-Women, *Women's Empowerment Principles*.

pioneer agencies in cultural rights advocacies, the Committee on Economic, Social and Cultural Rights (CESCR) has a role to play in incorporating gender sensitivity into strategies and for preserving cultural rights for ethnic minorities.

Finally, the UN Educational, Scientific and Cultural Organization (UNESCO) published its first global report on the progress of preserving cultural rights and promoting cultural diversity in 2015 after its 2005 *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*.⁶⁷ The report echoes many of the decisions made during the GA's 70th session and emphasizes gender equality, preserving cultural rights' importance in sustainable development, and many challenges of further implementing ethnic minorities' full participation in cultural activities.⁶⁸ Moving forward, obstacles still remain, including armed conflict, poverty, climate change, and social stereotypes. Considering this, CESCR can take the lead in facilitating dialogues and monitoring progress among States Parties to encourage more international collaboration on the topic.

⁶⁷ UNESCO, *Re/Shaping Cultural Policies: A Decade Promoting the Diversity of Cultural Expressions for Development*, 2015, p. 3.

⁶⁸ *Ibid.*, p. 7.

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United Nations, Department of Public Information. (2015). *Sustainable Development* [Website]. Retrieved 6 January 2016 from: <http://www.un.org/sustainabledevelopment/>

This website should be delegates' go-to resource to keep themselves updated with progress regarding the SDGs. Background and rationales behind the SDGs, possible solutions and actions taken, the United Nations Secretary-General's statements, the timeline of achieving the SDGs, and multiple media sources and critiques regarding the progress can all be found on this website. Delegates can check this website on a regular basis and be alerted to all recent events regarding sustainable development.

United Nations Educational, Scientific and Cultural Organization. (2015). *Re/Shaping Cultural Policies: A Decade Promoting the Diversity of Cultural Expressions for Development* [Report]. Retrieved 6 January 2016 from: <http://unesdoc.unesco.org/images/0024/002428/242866e.pdf>

As a pioneer in preserving world heritage and individuals' cultural rights across the world, UNESCO has both the expertise and authority on the topic of promoting ethnic minorities' cultural rights. The report is divided by UNESCO's four goals: Sustainable governance for culture, increasing artists and cultural professionals' mobility, promoting culture in sustainable development, and promoting basic human rights. The report includes multiple experts' individual observation and analysis and can provide delegates a big picture of the current issues of protecting indigenous peoples' cultural rights.

United Nations, General Assembly, Seventieth session. (2015). *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 6 January 2016 from: <http://undocs.org/A/RES/70/1>

As the roadmap of the UN's development for the next 15 years, this outcome document is a milestone for all Member States' achievement of sustainable development. All 17 SDGs and their 169 targets are outlined and explained in the document, which includes promoting all individuals' equal cultural rights. Studying this document can not only help delegate understand the topic, but can also can provide guidance to understand the United Nations' position on sustainable development and the way forward into the next era.

United Nations, General Assembly, Second Committee, Seventieth session. (2015). *Globalization and interdependence: culture and sustainable development (A/70/474/Add.3)* [Report]. Retrieved 6 January 2016 from: <http://undocs.org/A/70/474/Add.3>

Looking at the concept of culture as a whole, this report is a prime resource for delegates to study the different elements and aspects of the concept of "cultural rights." The underlying purpose of the document is to highlight the important role that cultural rights play in sustainable development. Delegates may find this report a helpful learning resource to understand what cultural rights includes and what possible solutions Member States may propose to accelerate the development process.

United Nations, General Assembly, Third Committee, Seventieth session. (2015). *Rights of indigenous peoples (A/70/486)* [Report]. Retrieved 6 January 2016 from: <http://undocs.org/A/70/486>

This report is one of the most recent outcome documents from the General Assembly in regards to ethnic minorities' rights. The preambles section highlights many noteworthy past initiatives and milestone events within the United Nations system, as well as important aspects to consider when discussing indigenous peoples' rights, especially cultural rights. Proposals made for the United Nations system, civil society organizations, and Member States can be found in the operative clauses, which are crucial for delegates' research on this topic.

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III. Protecting Economic, Social and Cultural Rights for Refugees

Recent Developments

As increasing armed conflicts around the globe impose threatening pressure to international security, the world is simultaneously facing the largest refugee population in history and related challenges.⁶⁹ United Nations (UN) General Assembly (GA) resolution 70/1 of September 2015 established the Sustainable Development Goals (SDGs); it states that vulnerable people, such as refugees and internally displaced persons (IDPs), and their rights must be protected by governments.⁷⁰ While refugees bring challenges to hosting countries, they also bring positive influences for their new communities.⁷¹ SDG 10 asks Member States to implement economic, social, and political inclusion for all individuals regardless of origin and ethnicity, as well as to form equal legal platforms to ensure a safe and orderly environment for migrants.⁷² Equal access to economic resources and services for all was also listed as a target under Goal 1.⁷³ Echoing the theme of inclusiveness in GA resolution 70/1, Goal 5 highlights the importance of gender equality and women's empowerment in the process of migration.⁷⁴ The SDGs provide a blueprint and a concrete foundation for international development over the next 15 years.⁷⁵ They also provide valuable opportunities for international collaboration to combat barriers in order to fulfill refugees' equal economic, social, and cultural (ESC) rights.⁷⁶

Orderly migration and refugees' rights was one of the topics discussed during the 70th session of the GA.⁷⁷ GA Third Committee report 70/483 of 2 December 2015, on the work of the UN High Commissioner for Refugees (UNHCR), further clarifies that it is the Member States' obligation to cooperate and provide effective and equal protections to refugees, in which gender mainstreaming and migrant worker's right are also included.⁷⁸ In another document, the GA also outlined multiple basic rights of refugees that both home and host countries must protect.⁷⁹ Specifically, the GA encourages Member States to adopt and implement migrant programs to help refugees and IDPs fully integrate into the host communities.⁸⁰

Moreover, in November 2015, UNHCR integrated the "age, gender and diversity" approach into all its assistance for refugees and IDPs to ensure inclusiveness and the equality of all individuals.⁸¹ In its end-of-year appeal, UNHCR emphasized the importance of Member States understanding and implementing the core of the *1951 Refugee Convention*, which clarifies the circumstances in which States Parties are obligated to grant refugee status to individuals.⁸² Initiatives that the UNHCR took in 2015 include forming and distributing guidelines on the determination process of refugee legal status, mainstreaming gender equality, combating sexual and other forms of gender-based violence, and improving equal access to education and resources.⁸³ Other examples include the UN Development Programme (UNDP) and the International Organization for Migration (IOM). Proactively responding to the crisis in Syria, the UNDP established waste removal projects in several regions in Syria, creating 13,700 one-month jobs for IDPs and refugees and collecting 154,806 tons of waste in over 250 neighborhoods.⁸⁴ Additionally, UNDP's Regional Refugee and Resilience Plan (3RP), launched in December 2015 and designed specifically for Syria, has eight focuses, including refugee protection, education, and livelihoods and social cohesion, which helped about 1.8 million Syrian refugees with legal registration and assisted over 10,000 individuals to gain access to paid

⁶⁹ Kingsley et al., *Syrian refugee crisis: why has it become so bad?*, 2015.

⁷⁰ UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

⁷¹ Ibid.

⁷² UN DPI, *Goal 10: Reduce inequality within and among countries*, 2015.

⁷³ UN DPI, *Goal 1: End poverty in all its forms everywhere*, 2015.

⁷⁴ UN DPI, *Goal 5: Achieve gender equality and empower all women and girls*, 2015.

⁷⁵ Islam, *SDGs are also about tackling the global refugee crisis*, 2015.

⁷⁶ Ibid.

⁷⁷ UN General Assembly, *Resolutions*, 2015.

⁷⁸ UN General Assembly, *Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (A/70/483)*, 2015.

⁷⁹ UN General Assembly, *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/70/489/Add.2)*, 2015.

⁸⁰ Ibid.

⁸¹ UNHCR, *Ensuring protection for people of concern: UNHCR Global Appeal 2015*, 2015, p. 20.

⁸² Ibid.

⁸³ Ibid., pp. 21, 23, 26.

⁸⁴ UNDP, *Emergency employment yields a healthier environment for Syrians*, 2016.

employment opportunities in 2015.⁸⁵ The IOM assisted over 20,000 migrants with issues such as water, sanitation and hygiene (WASH), health, and social cohesion training in Yemen in 2015.⁸⁶

While the UN and Member States establish action platforms, civil society organizations (CSOs) also play an important role in implementing the policies and allocating resources effectively.⁸⁷ In South Sudan, where approximately 1.5 million IDPs reside, Oxfam International was able to assist over 700,000 individuals with WASH resources, life-saving skills training, peacebuilding, and community capacity-building in 2015.⁸⁸ The Norwegian Refugee Council (NRC), a CSO that provides assistance to refugees and IDPs throughout the world, effectively built a partnership with the Myanmar government and other international organizations to provide vocational and life skill trainings, adequate housing, and migrant integrations in several areas in Myanmar in 2015.⁸⁹ Building upon many outstanding CSO initiatives in 2015, capacity-building, civic engagement, and a closer partnership with Member States and UN agencies would assist in more effective responses in the future.⁹⁰ CESCRC faces an overwhelmingly amount of opportunities, and, yet, many challenges moving forward on this issue. Only by advocating international collaboration and conducting effective dialogues among all actors can the international community promise a better future for refugees and every citizen of the world.

⁸⁵ UNDP, *3RP Regional Refugee & Resilience Plan 2016-2017 in Response to the Syria Crisis Regional Strategic Overview*, 2015, p. 11.

⁸⁶ IOM, *Yemen Crisis Regional Response*, 2015, pp. 2-3.

⁸⁷ Civicus, *CSOs at the frontline of the refugee crisis*, 2015.

⁸⁸ Oxfam International, *Crisis in South Sudan*, 2016.

⁸⁹ Norwegian Refugee Council, *NRC's Country Programme in Myanmar*, 2015.

⁹⁰ Civicus, *CSOs at the frontline of the refugee crisis*, 2015.

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The International Organization for Migration (IOM) situation report on Yemen is a good resource for both studying the refugee situation and also how civil society organizations operate in the field. Starting with an introduction of the crisis in Yemen, the report provides a brief but detailed picture of what IOM did in 2015 and its outcomes. Reading case studies, such as this report, is one of the best ways for delegates to put concepts into reality and to gain a better insight on the situation and what steps the United Nations can take next.

United Nations Development Programme. (2015). *3RP Regional Refugee & Resilience Plan 2016-2017 in Response to the Syria Crisis Regional Strategic Overview*. Retrieved 8 January 2016 from: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/12/3RP-Regional-Overview-2016-2017.pdf>

UNDP's 3RP project is tailored for the crisis in Syria and has operated since 2014. This strategic review of 3RP's work – completed in 2015 and looking to the plan for 2016-2017 – includes sections on introducing and reviewing the crisis, achievements of 3RP, 3RP's regional cooperation with other Member States, 3RP's partnerships with the private sector, and its strategies on its eight focuses. They are protection, food security, education, health and nutrition, basic needs, shelter, and livelihoods and social cohesion. This overview can provide delegates with more detailed and in-depth information of the Syria crisis and current needs of the community, and also the United Nations system.

United Nations, General Assembly, Third Committee, Seventieth session. (2015). *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/70/489/Add.2)* [Report]. Retrieved 8 January 2016 from: <http://undocs.org/A/70/489/Add.2>

Including several resolutions on multiple topics regarding current human rights issues that the United Nations faces, this is a valuable and comprehensive document for delegates to study refugees' rights and the United Nations' previous efforts. Of the entire document, draft resolution I on the topic of "protection of migrants" explains the types and different areas of concerns regarding different migrants, including refugees and IDPs in-depth. Seeing rising refugee issues throughout the world, delegates may find this document especially helpful to gain an overall understanding of what the United Nations could do and "lessons learned."

United Nations, General Assembly, Third Committee, Seventieth session. (2015). *Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (A/70/483)*. Retrieved 8 January 2016 from: <http://undocs.org/A/70/483>

As the expert on refugee- and migrant-related issues in the United Nations system, UNHCR has great knowledge and experience in protecting refugees' economic, social, and cultural rights. This report highlights previous lessons learned and important milestone events, and also proposes solutions for all Member States. Key issues this latest report highlights include migrant workers' rights, gender equality, regional and global cooperation, and migrants' access to resources. Delegates will find it a helpful resource to understand what refugees' rights are and how the committee and the international community can collaborate to protect these rights.

United Nations High Commissioner for Refugees. (2015). *Ensuring protection for people of concern: UNHCR Global Appeal 2015*. Retrieved 8 January 2016 from: <http://www.unhcr.org/5461e5ee0.html>

Although brief, this follow-up on UNHCR's actions taken in 2015 is a great resource for delegates to know what and how the United Nations system operates when addressing refugee issues. Reviews on obstacles and the interventions that UNHCR took, including issues such as violence against women, equal access to education, youth empowerment, capacity-building within UNHCR, strategy formulation are outlined and introduced in this report. Delegates could use the successful efforts as a foundation when proposing future solutions, and, at the same time, revisit the lessons learned and the obstacles encountered and consider alternatives that may help improve current situations.

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