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HUMAN RIGHTS COUNCIL
Sixth session
Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS,
CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL
RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

**Rectification of the legal status of the Committee on Economic,
Social and Cultural Rights: report of the Committee**

Note by the Secretariat

1. The present note is submitted pursuant to Human Rights Council resolution 4/7 entitled “Rectification of the legal status of the Committee on Economic, Social and Cultural Rights”, in which the Council decided to initiate a process to rectify, in accordance with international law, the legal status of the Committee on Economic, Social and Cultural Rights, with the aim of placing the Committee on a par with all other treaty monitoring bodies. Through this resolution, the Council requested the Committee to present a report outlining views, proposals and recommendations on this issue to its last session in 2007.

2. The Committee on Economic, Social and Cultural Rights, established in 1985 under resolution 1985/17 of the Economic and Social Council, considered resolution 4/7 of the Council at its thirty-eighth session, held from 30 April to 18 May 2007. Based on its discussions held at that session, on 18 May 2007, the Committee communicated its views to the Council through a letter* from its Chairperson to the Chairperson of the Council.

* Reproduced as received in the annex.

ANNEX

**Letter from the Chairperson of the Committee on Economic, Social and Cultural Rights
addressed to the Chairperson of the Human Rights Council**

18 May 2007

Excellency,

The Committee on Economic, Social and Cultural Rights, established in 1985 under resolution 1985/17 of the United Nations Economic and Social Council (ECOSOC), expresses its satisfaction at the efforts of the Human Rights Council to rectify its status, as conveyed in resolution 4/7 of the Human Rights Council.

The Committee adheres to the principles of the 1993 Vienna World Conference on Human Rights, according to which all human rights are universal, indivisible, interdependent, and interrelated. These principles are reflected in the functioning of the treaty bodies. Although the rectification of the status of the Committee is desirable to grant equal treatment to all monitoring bodies of the United Nations human rights system, it is a fact that up to now the Committee has not been hindered in its functions owing to its status as a subsidiary body of ECOSOC and as an independent body of experts.

The Committee considers that the responsibility for the rectification of its status lies with the States parties. The Committee also considers this to be a timely and advisable measure, bearing in mind the ongoing process for the drafting of an Optional Protocol. An Optional Protocol would enable the Committee to strengthen and enhance its work in monitoring the implementation of the Covenant, particularly by examining States parties' reports, through a procedure that would deal with individual and collective communications. The Committee hopes, however, that all steps will be taken to ensure that efforts made to rectify its status will not hinder the adoption of an Optional Protocol without further delay.

The Committee is at the disposal of the Human Rights Council to take part in a dialogue with the Council with regard to the rectification of its status, based on the principles of universality, indivisibility and equal treatment of all human rights, whenever the need arises.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

(Signed): Philippe TEXIER
Chairperson,
Committee on Economic, Social and Cultural Rights

H.E. Mr. Luis Alfonso DE ALBA
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