

**Member of the GCE that presents the motion:** CLADE

**Title of the motion:** Support to the ratification of the Optional Protocol of the International Covenant on Economic, Social and Cultural Rights.

**Number of words:** 375

**Details of the person who authorizes the presentation of this motion:**



**Signature:**

**Date and time of the signature:** 22nd November, 6 pm

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## **Support to the ratification of the Optional Protocol of the International Covenant on Economic, Social and Cultural Rights.**

The Global Campaign for Education (GCE) recognizes the importance of the International Covenant on Economic, Social and Cultural Rights (ICESCR) that came into effect in 1976 as one of the key international treaties for the realization of the human right to education.

Its article 13 says that “State parties to the present covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms”.

On 10th. December 2008, the United Nations adopted an Optional Protocol to this covenant, allowing, for the first time, to make individual claims related to the violation of economic, social and cultural rights (ESCR) at the international level, i.e. any person whose rights have been violated, can resort to and use this mechanism.

The adoption of the Optional Protocol, as a result of the pressure exerted by civil society organizations and networks across the world, represents a historical advancement for the economic, social and cultural rights, more than four decades after a similar instrument was adopted for the civil and political rights.

It is expected to be an effective mechanism of enforceability and justiciability of the economic, social and cultural rights, including the right to education. The decisions deriving from this mechanism will exert influence on the resolutions adopted by national and regional courts across the world and it will be key to strengthen the fulfillment of the economic, social and cultural rights, by the States.

The people whose rights have been violated, will be able to seek justice through the Optional Protocol, once the latter is in force, after receiving the ratification from ten States. Up to now, 35 countries around the world have subscribed it, thus indicating their intention to ratify it, and only three have ratified it: Ecuador (June/2010), Mongolia (July /2010) and Spain (September/2010).

### **In view of this, the GCE calls on:**

States to sign and ratify the Optional Protocol to the ICESCR;

Civil Society to mobilize in favor of this Optional Protocol, revealing and disseminating its content and importance at global level and encouraging countries around the world to sign and ratify this instrument as soon as possible.