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Agenda item 3

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

**Albania, Armenia,* Austria,* Belgium, Bolivia (Plurinational State of), Bulgaria,
Canada,* Chile, Croatia,* Cyprus, Ecuador,* Estonia,* Finland,* France, Germany,
Greece,* Honduras,* Iceland, Ireland,* Latvia,* Lithuania,* Luxembourg,* Malawi,
Mexico, Montenegro,* Netherlands (Kingdom of the), North Macedonia, Norway,*
Paraguay,* Portugal,* Slovakia,* Slovenia,* South Africa, Spain, Sweden,* Thailand
and Ukraine*: draft resolution**

58/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

*Guided also by the Universal Declaration of Human Rights, the International
Covenant on Economic, Social and Cultural Rights and all other relevant human rights
instruments, and by the principles of economic, social and cultural rights therein enshrined,*

*Reaffirming that all human beings are born free and equal in dignity and rights, and
recognizing that these rights derive from the inherent dignity of the human person,*

*Recalling, as highlighted in, inter alia, the Vienna Declaration and Programme of
Action, that all human rights are universal, indivisible, interrelated, interdependent and
mutually reinforcing, and must be treated in a fair and equal manner, on the same footing and
with the same emphasis, and recalling also that the respect, protection and fulfilment of one
category of rights should never exempt States from the respect, protection and fulfilment of
the other rights,*

*Reaffirming Human Rights Council resolutions on the question of the realization in
all countries of economic, social and cultural rights, the latest of which being Council
resolution 52/11 of 3 April 2023, and the resolutions adopted by the Commission on Human
Rights on the same topic,*

*Recalling the Sustainable Development Goals and their specific and interlinked
targets, which cover a wide range of issues relating to economic, social and cultural rights,
and acknowledging that the promotion, protection and realization of human rights and the
implementation of the 2030 Agenda for Sustainable Development are interrelated and
mutually reinforcing,*

* State not a member of the Human Rights Council.



Recognizing that the 2030 Agenda is guided by the purposes and principles of the Charter, including full respect for international law, is grounded in the Universal Declaration of Human Rights, international human rights treaties, the United Nations Millennium Declaration and the 2005 World Summit Outcome, and is informed by other instruments, such as the Declaration on the Right to Development,

Recalling General Assembly resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity, and recalling also General Assembly resolution 78/231 of 22 December 2023, in which the General Assembly decided to convene, in 2025, a fourth international conference on financing for development,

Noting the adoption by the General Assembly of resolution 79/1 of 22 September 2024, containing the Pact for the Future and its annexes, and recalling the commitments contained in, inter alia, chapters I, entitled “Sustainable development and financing for development”, and V, entitled “Transforming global governance”,

Recalling the New York Declaration for Refugees and Migrants adopted by the General Assembly on 19 September 2016, which led to the adoption of the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration that address the human rights of all refugees and migrants, regardless of status, and that include a pledge to fully protect such rights, including economic, social and cultural rights,

Reaffirming the obligations and commitments of States Parties to the International Covenant on Economic, Social and Cultural Rights to undertake to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, in particular the adoption of legislative measures,

Noting general comment No. 3 (1990) of the Committee on Economic, Social and Cultural Rights, wherein the Committee states that a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State Party to the International Covenant on Economic, Social and Cultural Rights, as is not to adopt retrogressive measures on the protection of economic, social and cultural rights,

Noting also the Social Protection Floors Recommendation, 2012 (No. 202), of the International Labour Organization,

Underlining the human rights principles of, inter alia, non-discrimination and equality, human dignity, equity, universality, indivisibility, interrelatedness, participation and accountability, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

Recalling the obligation included in the International Covenant on Economic, Social and Cultural Rights to ensure the equal rights of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant, and recalling also the inclusion of both gender equality and the empowerment of all women and girls as a stand-alone goal, and its integration into all goals and targets of the 2030 Agenda and throughout the implementation process,

Recognizing that the establishment of nationally defined gender-responsive social protection floors is a key path to facilitating the enjoyment of economic, social and cultural rights and that social protection floors, when used as a baseline, have the potential to reduce poverty and inequality by promoting basic income security, decent work, equal pay for work of equal value and universal access to healthcare and basic services,

Recognizing also the importance of the universality and indivisibility of all human rights, of robust and efficient public policies, of adequately resourced and fully functioning services and of cooperation at the national, regional and international levels for the realization of all economic, social and cultural rights, including for women and girls, older persons, persons with disabilities, migrants, refugees, peasants and other persons working in rural areas and Indigenous Peoples,

Noting with concern that growing economic and financial disruptions further exacerbate existing inequalities, increase poverty, hunger and malnutrition, reverse hard-won developmental gains and reduce the chances of achieving the Sustainable Development Goals,

Recognizing the potential impact of technology in both enhancing opportunities and exacerbating inequalities, and in this regard the importance of addressing digital divides, and underscoring the need to promote inclusive digital development, access to technology, digital literacy and digital public infrastructure, thereby accelerating progress towards the implementation of the Sustainable Development Goals, which cover a wide range of issues relating to economic, social and cultural rights,

Reiterating that empowering people and ensuring equality and inclusiveness in a manner consistent with States' obligations under international human rights law, including in designing and implementing economic policies that advance the realization of human rights for all, are among the main elements for achieving sustainable development, and in this regard mindful that the normative framework for economic, social and cultural rights offers guidance in implementing the 2030 Agenda in a more effective and inclusive manner,

Recognizing that persistent and growing inequalities and underinvestment in public services within countries are major challenges to the realization of economic, social and cultural rights, affecting in particular women and girls, youth and those living in poverty and in vulnerable situations, including children, older persons and persons with disabilities, and recalling States' obligations relating to non-discrimination and the promotion of equality and their commitment to leave no one behind and to reach the furthest behind first,

Noting that an essential aspect of a human rights-based approach to sustainable development is promoting knowledge of human rights, including economic, social and cultural rights, thus enabling individuals and stakeholders to participate in a meaningful, free and active manner in decision-making processes that affect their lives, including through the exercise of civil and political rights,

Reaffirming the importance of the realization of economic, social and cultural rights to eradicating poverty, in all its forms and dimensions, including extreme poverty, and inequalities, taking into consideration the guiding principles on extreme poverty and human rights, as well as investment in, and ensuring equitable access to, essential services for all, including health, education, adequate housing and social protection, and acknowledging the slow pace of progress towards improving lives and livelihoods and realizing human rights for all,

Expressing deep concern at the growing Sustainable Development Goal financing gap facing developing countries, preventing the achievement of the Sustainable Development Goals, which cover a wide range of issues relating to economic, social and cultural rights, and widening inequalities,

Recognizing with concern the adverse impacts of climate change, particularly on climate-vulnerable countries, including small island developing States, which undermine the enjoyment of human rights, including economic, social and cultural rights, and stressing the need for scaled-up climate finance, in accordance with the United Nations Framework Convention on Climate Change and the Paris Agreement, to support adaptation and mitigation measures and to address loss and damage,

Expressing deep concern at the emergence of unsustainable debt burdens and excessive debt servicing costs, which may compromise government expenditure on public services and social protection, and recognizing the importance of ensuring that commitments arising from public and foreign debt do not impede States' abilities to meet their obligations to respect, protect and fulfil human rights, including economic, social and cultural rights,

Acknowledging that further reform of the international financial architecture is an important step in mobilizing additional public and private financing for the Sustainable Development Goals, particularly in developing countries, reducing inequalities and allowing States to prioritize the mobilization and allocation of resources to uphold economic, social and cultural rights,

Acknowledging also the importance of States' economic, social and cultural rights obligations in the context of the promotion of efficient and progressive taxation and fiscal policies that mobilize national economic resources, including measures to combat corruption, illicit financial flows, and tax evasion and avoidance and to reduce the transaction costs of remittances, when promoting universal health coverage, access to quality, inclusive education and lifelong learning, decent work for all and universal access to social protection, all of which are vital to eradicating poverty, reducing inequalities and financing sustainable development,

1. *Urges* all States to respect, protect and fulfil all economic, social and cultural rights by strengthening legal frameworks, adopting adequate policies and programmes and allocating sufficient resources for their implementation;

2. *Calls upon* all States to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which being resolution 52/11;

3. *Welcomes* the most recent accessions to the International Covenant on Economic, Social and Cultural Rights, and calls upon all States that have not yet signed and ratified or acceded to the Covenant to consider doing so as a matter of priority, and States Parties to consider reviewing their reservations thereto;

4. *Also welcomes* the most recent accessions to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and calls upon all States that have not yet signed and ratified or acceded to the Optional Protocol to consider doing so, and to consider making declarations under articles 10 and 11 thereof;

5. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization of economic, social and cultural rights in all countries, with a special focus on challenges and good practices to strengthen the fulfilment of the right to social security;¹

6. *Notes with appreciation* the panel discussion on challenges and good practices to realize the right to social security and to provide quality public services, held during the fifty-fifth session of the Human Rights Council pursuant to its resolution 52/11;

7. *Takes note with appreciation* of the practical information note of the United Nations High Commissioner for Human Rights on promising practices in realizing the right to social security, and encourages the Office of the United Nations High Commissioner for Human Rights to continue and to enhance its work on economic, social and cultural rights, in particular in the area of social protection, assisting States in fulfilling the right to social security without discrimination;

8. *Recognizes* that all States have the potential to expand their investment in inclusive and equitable quality education, physical and mental health, adequate housing and social protection, which contributes to the fulfilment of their obligations regarding the realization of economic, social and cultural rights;

9. *Notes with appreciation* the contributions of international human rights mechanisms, including the international human rights treaty bodies, the Human Rights Council and its subsidiary bodies, the special procedures and the universal periodic review, in promoting the implementation of the 2030 Agenda for Sustainable Development in a manner consistent with States' human rights obligations, and encourages States to give due consideration to information, observations and recommendations from human rights mechanisms when implementing and monitoring the progress of the 2030 Agenda and to

¹ A/HRC/58/37.

promote the cooperation of all stakeholders towards the full integration of human rights into the said processes;

10. *Underlines* the importance of access to justice and to an effective remedy for violations of economic, social and cultural rights, including those of a systemic character, in this regard notes with appreciation the measures taken by States for the domestic adjudication of cases and to ensure access to complaints procedures for victims of alleged human rights violations, and calls upon States to strengthen their efforts to guarantee access to judicial and non-judicial remedies at the national, regional and international levels;

11. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts, and in this regard underlines the need to consider justiciability when determining the best way to give domestic legal effect to the rights contained in the International Covenant on Economic, Social and Cultural Rights;

12. *Acknowledges* the role of national courts in the legal enforcement of economic, social and cultural rights, which contributes to identifying gaps in legislation in regard to the realization of these rights and to assessing the compliance of States Parties to the International Covenant on Economic, Social and Cultural Rights towards the full realization of these rights;

13. *Also acknowledges* that social protection floors facilitate the enjoyment of economic, social and cultural rights, including the rights to education, social security, work, including just and favourable conditions of work, the enjoyment of the highest attainable standard of physical and mental health, an adequate standard of living, including adequate food, clothing and housing, and safe drinking water and sanitation, in accordance with the human rights obligations of States, and in this regard underlines the importance of acting consistently to establish and/or further develop such floors in compliance with the principles of non-discrimination and equality, gender equality and inclusion of persons with disabilities, transparency, participation and accountability;

14. *Further acknowledges* the important contribution of women and girls to sustainable development and reiterates that gender equality, the empowerment of all women and girls and women's full, equal and meaningful participation and leadership in the economy are vital for achieving sustainable development, promoting peaceful, just and inclusive societies, enhancing sustained, inclusive and sustainable economic growth and productivity, ending poverty in all its forms everywhere and ensuring the well-being of all;

15. *Encourages* the use of international human rights standards and the recommendations of the human rights bodies and mechanisms to identify the root causes of discrimination, in particular in the context of multiple and aggravated forms of discrimination, and the taking of the measures necessary to combat discrimination and inequalities, and calls upon States to identify patterns of discrimination in law, policies and practices, and to address entrenched structural barriers and unequal power relations that generate and perpetuate inequality over generations;

16. *Calls upon* States:

(a) To adopt, further develop, use and promote the use of procedures for information-gathering and measurement, including alternative measurements of progress on sustainable development to complement and go beyond gross domestic product and human rights indicators contextualized at the national level, to support decision-making processes and to measure progress in the implementation of laws, policies and actions to respect, protect and fulfil economic, social and cultural rights and to address discrimination and inequalities, noting that these procedures should respect human rights, including the right to privacy, and be transparent, participatory and allow for accountability;

(b) To strengthen the role and capacity of national human rights institutions consistent with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and of equality bodies, to protect civic space, to contribute to strengthening the realization of economic, social and cultural rights, and to provide support for stakeholders in the identification of appropriate measures for achieving the Sustainable Development Goals at the national and local levels;

(c) To consider establishing and/or strengthening national mechanisms for the implementation of, reporting on and follow-up to human rights obligations and recommendations, recognizing their contribution to implementation, reporting and follow-up processes and their potential to undertake cross-cutting initiatives to strengthen the realization of economic, social and cultural rights, and to follow up on and review the progress made in achieving the Sustainable Development Goals and international and national commitments made at United Nations conferences and summits;

17. *Acknowledges* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States Parties to the International Covenant on Economic, Social and Cultural Rights in fulfilling their obligations, including through the elaboration of general comments, the consideration of periodic reports and, for States Parties to the Optional Protocol to the Covenant, the examination of individual communications;

18. *Also acknowledges* the work of other relevant treaty bodies and special procedures, within their mandates, in the promotion and protection of economic, social and cultural rights, and the important role of the universal periodic review in this regard;

19. *Encourages* enhanced cooperation and increased coordination between the Committee on Economic, Social and Cultural Rights and other human rights treaty bodies, United Nations bodies, specialized agencies and programmes and the mechanisms of the Human Rights Council whose activities have a bearing on economic, social and cultural rights, in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

20. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions, national mechanisms for implementation, reporting and follow-up, local and regional governments, Indigenous Peoples and civil society, including non-governmental organizations, academic and research institutions, business enterprises and trade unions, to the promotion and protection of economic, social and cultural rights, including training and information activities, and underlines the importance of consultation with and the participation of affected persons in decisions affecting them;

21. *Encourages* States, in line with the Guiding Principles on Business and Human Rights, to provide effective guidance to business enterprises on how to meet their responsibility to respect human rights, including economic, social and cultural rights, throughout their operations, and to seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts;

22. *Encourages* the implementation of targeted measures to achieve social protection financing targets and to eradicate poverty by addressing it in all its forms and dimensions, including extreme poverty and the feminization of poverty, inter alia, through rural development strategies that reduce inequalities and that take into account sustainable agriculture, food security and nutrition dimensions and the right to food, and investments in public services, in the social sector and in well-designed, sustainable and efficient social security systems that are accessible for all, including persons with disabilities, and responsive to shocks, and the taking of effective measures for the enjoyment by all persons of their right to social security, including towards its take-up;

23. *Also encourages* the creation of decent jobs and livelihoods for all, including for young persons, especially in developing countries, while facilitating the transition of workers from the informal to the formal sector and dismantling inequalities in the care economy, also taking into consideration women's unequal share of unpaid or underpaid care and domestic work and women's overrepresentation in the informal sector;

24. *Stresses* the importance of providing and mobilizing sustainable, affordable, accessible, transparent, adequate and predictable development finance from all sources and the required means of implementation to developing countries and of creating a more enabling environment at the global, regional and national levels to increase the mobilization of domestic resources, which contribute to the realization of economic, social and cultural rights, recognizing the instrumentality of financing for development and climate finance to

this effect, as well as the importance of fulfilling official development assistance commitments;

25. *Encourages* international financial institutions to continue to support States in their efforts to build strong institutions, ensuring good governance able to create economic and social resilience in times of polycrisis and, when doing so, to take into consideration the prioritization of social spending and the enhancement of States' fiscal space, namely, improving efficiency of public expenditure, improving debt management, accessing external financing, mobilizing domestic resources and reducing the costs of transfer of remittances, and to consider using the multidimensional vulnerability index, as appropriate, while engaging collaboratively in terms of international assistance and cooperation, all of which contributes to the realization of economic, social and cultural rights;

26. *Urges* States to engage in a strengthened multilateral response to support countries with unsustainable debt burdens, with the meaningful participation of the countries concerned and all relevant actors, to prioritize government expenditure on the achievement of the Sustainable Development Goals, which cover a wide range of issues relating to economic, social and cultural rights, and, as appropriate, the use of debt swaps for the Sustainable Development Goals, and to develop measurements of progress on sustainable development that complement and go beyond gross domestic product;

27. *Calls upon* States to take into consideration their economic, social and cultural rights obligations when promoting inclusive and effective international tax cooperation, as it enables countries to effectively mobilize their domestic resources, and to continue to engage constructively in the process towards developing a United Nations framework convention on international tax cooperation;

28. *Welcomes* the activities carried out by the Office of the High Commissioner on the promotion of economic, social and cultural rights, mainly through technical cooperation, and notes with appreciation the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information technologies;

29. *Calls upon* States to secure ambitious outcomes at the Fourth International Conference on Financing for Development, in 2025, and at the Second World Summit for Social Development, in 2025, to close the Sustainable Development Goal financing gap and the social protection financing gap, to accelerate the implementation of the 2030 Agenda and the achievement of the Sustainable Development Goals, and to advance the realization of economic, social and cultural rights, all of which are interrelated and mutually reinforcing;

30. *Decides* to convene, at its sixty-first session, a panel discussion, to be organized by the High Commissioner, accessible to persons with disabilities and open to the participation of States, local authorities, relevant treaty bodies and the special procedures of the Human Rights Council, academia, civil society and other relevant stakeholders, on promising practices and measures to mobilize public resources to finance sustainable development in a manner consistent with States' economic, social and cultural rights obligations and reflecting on the outcomes of the Fourth International Conference on Financing for Development and the Second World Social Summit that will be held in 2025;

31. *Requests* the Secretary-General to prepare and submit to the Human Rights Council, at its sixty-fourth session, a report, in formats accessible to persons with disabilities, on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the mobilization of public resources to finance sustainable development in a manner consistent with States' economic, social and cultural rights obligations, taking into consideration the outcomes of the panel discussion to be convened at the sixty-first session;

32. *Requests* the Human Rights Council Advisory Committee to prepare a study, in consultation, where possible, with the Office of the High Commissioner, in formats accessible to persons with disabilities, on the achievement of social justice through the legal enforcement of economic, social and cultural rights by national courts and to present the study to the Human Rights Council at its sixty-fourth session;

33. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.
