

**Excerpt from the Report on the Twelfth and Thirteenth Sessions
(E/1996/22 - E/C.12/1995/18), paras. 339-344**

B. Twelfth session, 15 May 1995

**The interpretation and practical application of the obligations incumbent on
States parties to the International Covenant on Economic, Social and Cultural Rights**

339. At its tenth session, the Committee on Economic, Social and Cultural Rights decided to devote a day of general discussion at its twelfth session to the interpretation and practical application of the obligations incumbent on States parties to the International Covenant on Economic, Social and Cultural Rights (E/1995/22, para. 400). At its eleventh session, the Committee indicated that the focus of that day of general discussion was designed to assist the new members of the Committee and to provide an opportunity for the Committee as a whole to discuss the most appropriate and effective ways of promoting compliance by States parties with their obligations (ibid. para. 410).

340. At its 21st and 22nd meetings on 18 May 1995, the Committee held a day of general discussion on the above-mentioned subject.

341. In addition to the members of the Committee, representatives of the following intergovernmental and non-governmental organizations participated in the discussion: UNESCO, FIAN International, American Association of Jurists and Habitat International Coalition. A scholar from the University of Leicester (United Kingdom) was also present.

342. During the discussion, a wide range of substantive and procedural issues relating to the obligations incumbent on States parties to the Covenant, as well as a number of issues concerning the Committee's methods of work, were addressed.

343. With regard to the first group of issues, emphasis was placed in the course of the discussion on the following: a comparison and analysis of the similar provisions contained in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and the nature of the obligations incumbent on States parties under each instrument; which rights set forth in the International Covenant on Economic, Social and Cultural Rights were of direct application and which could be implemented progressively by States parties; the justiciability of economic, social and cultural rights; the desirability of drafting an optional protocol, providing for the right to complain to the Committee in case of violation of rights protected by the Covenant; the approach to be adopted by the Committee in assessing compliance by States parties having different levels of economic development with their obligations under the Covenant; the treatment to be accorded to developing countries; and the role of international assistance and cooperation in achieving the full realization of the rights recognized in the Covenant.

344. With regard to the methods of work of the Committee, the following issues were addressed in the course of the discussion: the elaboration of a more effective procedure of follow-up to the Committee's consideration of States parties' reports; the consideration to be given to economic and other difficulties prevailing in States parties whose reports are under examination; the relationship between the realization of economic, social and cultural rights and the right to development; the publicity to be given to the Covenant and to the Committee's work; and cooperation between the Committee and the specialized agencies.