

CENTER FOR ECONOMIC AND SOCIAL RIGHTS AT 25

TWENTY FIVE YEARS FIGHTING FOR SOCIAL JUSTICE THROUGH HUMAN RIGHTS



ANNUAL REPORT 2018

In 1995, CESR assembled a team in Iraq to document the impacts of UN-imposed economic sanctions on child mortality rates.



In 2017, CESR staff participated in the New York City tax march, calling attention to the alarming implications of US tax reforms for inequality and human rights.



A MILESTONE YEAR FOR CESR

2018 was a milestone year for the Center for Economic and Social Rights (CESR), marking twenty-five years since our founding as the first international NGO dedicated to bringing human rights to the struggle for economic and social justice.

Taking stock, we have many achievements to celebrate. Over the decades, CESR has helped promote recognition in law and understanding in practice of economic and social rights as basic human entitlements to a life with dignity. We've exposed violations of these rights—from environmental abuses by oil companies in the Amazon to tax abuse by multinationals in Zambia—using the mix of legal and economic analysis that is our hallmark.



Yet developments in 2018 brought home just how much remains to be done. This year saw economic inequality and wealth concentration reach historically high levels. Ten years on from the global financial crisis, austerity is now the prevailing economic doctrine in two-thirds of the world's countries, widening inequalities, eroding rights and reversing progress in efforts to eradicate poverty. People's disenchantment with economic and political systems seen as working only for the elite has been manipulated by populist authoritarians in countries across the globe with even more sinister consequences for human rights.

Against this backdrop, in 2018 we strengthened our resolve to disrupt the policies and practices fueling economic inequality, to expose the myths and fallacies sustaining austerity, and to forge alliances with activists beyond the human rights movement working for more equitable, sustainable and human-centered economies. This report highlights the changes that we made in the countries and contexts in which we worked, and in the broader field of social justice activism which we serve.

We urge you to support CESR in its efforts to disrupt inequality and uphold human rights. Please see the last page of this report to find out how.



In November, 2018, over one hundred members of CESR's global community—founders, distinguished Board and Advisory Council members, key partners and allies—gathered in New York City to celebrate twenty-five years of working for social justice through human rights. [Photos of the event by Vitaliy Piltser.](#)

WHO WE ARE AND WHAT WE DO

The Center for Economic and Social Rights (CESR) is an international nongovernmental organization that fights poverty and inequality by advancing human rights as guiding principles of social, economic and development policy. We work for the recognition and enforcement of economic and social rights—among them the rights to education, health, food, water, housing and work—as a powerful tool for promoting social justice and human dignity. Our international and interdisciplinary staff based in New York comes from the human rights, development and social justice movements in different parts of the world.

CESR's work aims to make economic and social rights a reality by strengthening the capacity of civil society organizations (and the communities they serve) to claim these rights and to challenge the unjust policies that erode them, using the different avenues of accountability available at the local, national, regional and international levels.

"It's often been said that if CESR didn't exist, it would need to be created. CESR has distinguished itself by looking at the broader issues linked to human rights, such as how redistribution can ensure a degree of equality that enables people to enjoy their basic rights."

**-Philip Alston, UN Special Rapporteur on
Extreme Poverty and Human Rights**

CESR'S WORK IN 2018

In 2018, CESR redoubled efforts to fight extreme economic inequality as one of the most pervasive threats to human rights. Throughout the year, we waged this struggle on three critical fronts: *resisting austerity, promoting progressive tax policies and advancing sustainable development alternatives*. We carried out cutting-edge research on these critical issues, combining human rights and economic policy analysis. And we worked with a range of partners worldwide to hold governments and international institutions accountable for unjust fiscal and development policies, promoting policy reforms, shifting debates and expanding alliances for change.

We led the way in assessing austerity's human rights impacts in places like Brazil and South Africa, and helped bring about inspiring victories, such as the restoration of universal access to health care on human rights grounds following eight years of austerity in Spain. And we've called on powerful international financial institutions such as the International Monetary Fund to promote fairer alternatives to austerity in line with their stated commitment to reducing economic and gender inequality.

CESR continued to be a leading human rights voice for progressive taxation policies that can reduce inequality and redistribute resources on the national and global levels. We spoke out against regressive tax policies in countries such as Brazil, Colombia, South Africa and the United States and formed a key alliance with the Independent Commission for the Reform of International Corporate Taxation (ICRICT), a group of prominent global figures working to ensure that multinational corporations pay their fair share of tax.

CESR also engaged with the 2030 Agenda for Sustainable Development as a spur to action against inequality and spearheaded efforts to equip human rights defenders with innovative tools for monitoring economic and social rights and demanding accountability in the context of the 2030 Agenda commitments. In countries such as Egypt, CESR worked with civil society groups to propose new metrics of development progress aligned with their priorities and with the country's economic and social rights obligations.

CESR collaborated closely with human rights and development organizations, institutions and networks in more than a dozen different countries, forging partnerships that challenged the injustices of fiscal austerity, tax abuse and extractive development models. CESR's distinctive partnership model, which prioritizes mutual skills-sharing, collaborative research and advocacy methods, and jointly-branded outputs, was highly valued by those with whom we worked. We also fostered much-needed dialogue on the ways in which the human rights movement can work in closer synergy with other movements striving for economic and social justice to confront common threats.



NUMBER OF PROJECTS

20



NUMBER OF
EVENTS AND ACTIVITIES

55



NUMBER OF
PARTNERSHIPS

50



NUMBER OF
PUBLICATIONS

21



NUMBER OF ARTICLES

76



NUMBER OF SITE VISITORS

57,000

WHERE WE WORKED IN 2018

UNITED STATES: CESR concerns about the alarming implications of corporate tax cuts for human rights and inequality were echoed by the UN Special Rapporteur on Extreme Poverty and Human Rights, who described these as “staking out America’s bid to become the most unequal society in the world.”



COLOMBIA: CESR, FESCOL and Dejusticia’s research drew the attention of the Human Rights Council and the UN’s Sustainable Development Forum to the role of unjust fiscal policy in fueling inequality and undermining progress towards lasting peace.



LATIN AMERICA & CARIBBEAN:

CESR helped national human rights institutions in Latin America strengthen their capacity to defend economic and social rights by co-developing and facilitating a regional workshop in Tegucigalpa, Honduras, with the Global Alliance of NHRIs and the Honduran National Human Rights Commission.



UNITED STATES

HONDURAS

PERU: CESR hosted Beyond Boundaries, an international convening connecting actors across the human rights, development, tax justice, environmental, Indigenous and feminist movements, aimed at deepening alliances for socioeconomic justice.



COLOMBIA

PERU

BRAZIL

BRAZIL: Brazil’s Congressional Human Rights Commission called for a human rights impact assessment of the country’s twenty-year expenditure freeze following advocacy by civil society groups including CESR, Instituto Nacional de Estudos Socioeconômicos and Oxfam Brasil.



ARGENTINA

LATIN AMERICA & CARIBBEAN: CESR helped spearhead a new initiative to develop principles and guidelines on fiscal policy in the region at an inaugural meeting in Buenos Aires, Argentina, with a distinguished set of regional partners.





SCOTLAND: CESR worked with the Scottish Human Rights Commission and the Health and Social Care Alliance on a pioneering new initiative to help public authorities put human rights at the heart of their budget planning.



SPAIN: An austerity decree denying half a million migrants access to health care was repealed after advocacy by CESR, Médicos del Mundo, Red Acoge and Amnesty International prompted UN calls to rescind it.



EGYPT: The Egypt Social Progress Indicators (ESPI), a new monitoring and accountability tool gauging the country's human rights and sustainable development progress, was launched by CESR with civil society partners in Egypt.



ASIA PACIFIC: CESR helped national human rights institutions in the region address the challenges of monitoring sustainable development plans from a human rights perspective by co-facilitating a regional training workshop in Kathmandu, Nepal with the Asia Pacific Forum of NHRIs and the National Human Rights Commission of Nepal.



BOTSWANA: CESR worked with the Botswana Labour Migrants Association and Northwestern University to assess the right to health of miners in the country's diamond industry and promote rights-based legislative and regulatory reforms.



SOUTH AFRICA: Together with the Institute for Economic Justice, Section 27 and the Studies in Poverty and Inequality Institute, CESR provided evidence to the UN that austerity measures were undermining the rights to health and education and perpetuating inequality, prompting calls for reform from the UN.

PROMOTING HUMAN RIGHTS IN ECONOMIC POLICY

CESR advocates for economic policies that disrupt inequalities and realize human rights, with a particular emphasis on the role fiscal [tax and budget] policies play. In 2018, we set out to call governments and international financial institutions to account for a “lost decade” of ill-conceived austerity programs in countries such as Brazil, Egypt, Spain and South Africa; challenge corporate tax abuse and propose reforms aimed at reducing economic inequality; and bring human rights standards to bear in the design and implementation of more just tax and budget systems.



Photo by Adolfo Lujan

Access to public healthcare was restored for half a million migrants in Spain after the Spanish government repealed a 2012 austerity decree condemned by the UN Committee on Economic, Social and Cultural Rights (CESCR) as retrogressive, following sustained research and advocacy from CESR and partners Médicos del Mundo, Red ACOGE and Amnesty International.



Photo by Michael Wuertenberg

The International Monetary Fund committed to incorporating a stronger gender equality dimension in its guidance to country teams, as a result of ongoing advocacy by CESR and others highlighting the contradiction between the Fund’s stated goals around women’s empowerment and the austerity-focused macroeconomic policies it has supported and imposed at the country level.



Brazil’s Congressional Human Rights Commission called for an official human rights impact assessment of the country’s twenty-year expenditure freeze after research on austerity’s actual and foreseeable impacts was conducted by CESR and partners and presented to Congress. The findings garnered press coverage in over thirty Brazilian publications and websites.



Photo by UN Photo/Jean Marc Ferre

CESR produced methodological guidance for conducting human rights impact assessments of austerity policies—published as *Assessing Austerity: Monitoring the Human Rights Impacts of Fiscal Consolidation*—which was drawn on by the UN Independent Expert on Foreign Debt and Human Rights in the context of his work developing new UN Guiding Principles on this issue.



CESR was invited to join the steering group of the Independent Commission on the Reform of International Corporate Taxation (ICRICT)—made up of leading economists, tax experts and public intellectuals from around the globe—as part of the Commission’s efforts to strengthen its human rights perspective.



CESR led the creation of a new initiative to develop principles and guidelines on fiscal policy and human rights in Latin America and the Caribbean, holding a thematic hearing on the issue before the Inter-American Commission on Human Rights (IACHR). Partners include: Asociación Civil por la Igualdad y la Justicia (ACIJ); the Centro de Estudios de Derecho, Justicia y Sociedad (Dejusticia); the Centro de Estudios Legales y Sociales (CELS); Fundar (Centro de Análisis e Investigación); Red de Justicia Fiscal de América Latina y el Caribe and the Instituto de Estudos Socioeconômicos (INESC).

ASSESSING AUSTERITY

Monitoring the Human Rights Impacts of Fiscal Consolidation

BRIEFING

CENTER FOR ECONOMIC AND SOCIAL RIGHTS

25

SPAIN

CENTER FOR ECONOMIC AND SOCIAL RIGHTS

FACTSHEET No. 17

VISUALIZING RIGHTS

INTRODUCTION

In light of Spain's appearance before the UN Committee on Economic, Social and Cultural Rights (CESCR) at its 83rd session in March 2018, this factsheet examines the impact of economic and social rights in the country. This factsheet focuses particularly on analyzing the impact of austerity measures on the right to an adequate standard of living, the right to health, social and reproductive health rights (SRHR) and the right to work. Between 2012 and 2017, it was not possible to provide an exhaustive analysis of all policies related to economic, social and cultural rights (ESCR) in Spain; rather, it presents data on specific topics of concern included in the pre-negotiated working group's Letter of Intent.

Despite signals of recovery following the economic crisis, the analysis in this factsheet concludes that austerity measures adopted by the State do not comply with human rights standards. In compliance with human rights standards, these measures must be fully justified, temporary, strictly necessary and proportionate, take into account all possible alternatives, including tax measures, to support social treaties to mitigate inequalities and to ensure that the rights of disadvantaged groups are not disproportionately affected and protect the minimum core content of ESCR (CESCR, 2012b).

However, several of the policies adopted by the State in the context of austerity, and even as economic recovery in addition to being openly discriminatory, have had a devastating and disproportionate impact on the most vulnerable populations—including women, migrants, young people and children. On several occasions, the government has evaded the principle of budgetary stability—enshrined in Article 135 of the Constitution in 2011—adopting retrogressive measures to erode the rights of the autonomous communities (industrialized territorial entities) to protect ESCR (Urbizu, 2016). Several measures were adopted through Royal Decree Laws, bypassing the ordinary legislative procedure under the guise of "extraordinary and urgent" (Real Decreto Ley, 2016). Crucially, the central government has challenged before the Constitutional Court autonomous legislation aimed at progressively guaranteeing rights at risk or violated by national legislation in areas such as the right to health or the right to housing.

Following its review in 2012, Spain received several recommendations aimed at protecting the economic and social rights of those affected by the crisis. However, in response to the crisis has continued to focus on introducing austerity measures, including deep cuts in the budgets of key social sectors, which have jeopardized the wellbeing of the most vulnerable. Contrary to past recovery necessary for the fulfillment of economic and social rights, rather than meaningfully pursuing viable alternatives, it is inconsistent with Spain's obligations under article 2(1) of the International Covenant on Economic, Social and Cultural Rights. There are feasible alternatives, such as strengthening progressive taxation and tackling tax abuse and corruption, that could offset the need for austerity, while also boosting tax revenue and helping to repair the public's trust by strengthening transparency, accountability and participation.

One of the main concerns highlighted by the Committee in 2012 was the gross violation of many migrants, who had limited protection of their rights. Not only have undocumented rights to government housing, regular and national insurance since then, the government has also imposed that restricts the protection against rights. Royal Decree Law 16/2012 effectively deprives undocumented migrant workers access to publicly funded health services. The Constitutional Tribunal dismissed a challenge to the Royal Decree Law in 2016. In 2017, it nullified local legislation providing such access, leaving undocumented communities from exercising the discriminatory standard set by the national government.

The Committee also expressed concern about the persistence of geographic and gender inequalities, despite the efforts to combat them. Since their adoption in the regional distribution of resources for the fulfillment of essential economic obligations in areas such as health or education have increased in accordance with SRHR and social justice, measures have been discriminatory in the way they affect employment of those rights among autonomous communities.

A third concern was labor rights, which continue to be undermined by neoliberal austerity policies that have hindered sustainable economic recovery and prevented the population from reaching the levels of rights enjoyment prevailing before the crisis. Spain's unemployment rate remains the second highest in Europe, although half of young people are unemployed in 2015, which means that a whole generation has to negotiate its life in precarious situations. Women continue to earn less than men and they are largely concentrated in precarious and lower-paid work.

The review by the Committee is an important opportunity to analyze the impact of the economic crisis on the country's human rights, as well as to offer guidance on incorporating human rights into economic recovery strategies. It is also an opportunity to strengthen Spain's commitment to SRHR, in the light of the newly adopted General Comment No. 22 on the right to social and reproductive health.

BRAZIL

Visualizing rights

HUMAN RIGHTS IN TIMES OF AUSTERITY

Brazil made meaningful progress in tackling poverty over the past decade, largely as a result of public investments in health, education and social protection. Not coincidentally, the country's economy shined from burgeoning domestic demand. Brazil set an example in its initial response to the 2008-2009 global economic crisis by increasing social investments (Tesouro Nacional, 2016), which in turn sustained the economy while promoting human rights.

Yet, as this factsheet illustrates, these advances are at imminent risk from a series of harmful and severe austerity measures put in place by the government starting in 2015. While aimed at tackling spending deficits, these initiatives are deepening socio-economic inequalities in Brazilian society, with particularly disproportionate impacts on those already disadvantaged. Among the most extreme of these measures, the Constitutional Amendment 95/2016 (EC 95), known as the "Expenditure Ceiling" act, is particularly far-reaching in its harm to human rights. Coming into force in 2017, this act took the unprecedented step of freezing real public spending for 20 years. By constitutionalizing austerity in this way, any future elected governments without an absolute majority will be prevented from democratically determining the size of human rights investments needed to deal with aging populations and increased financing needs. The UN Special Rapporteur on Extreme Poverty and Human Rights considered the EC 95 "a radical measure, lacking in all nuance and compassion", arguing that the amendment "has all the characteristics of a deliberately retrogressive measure" (Alston, 2017). This call reinforced an earlier statement by the Inter-American Commission on Human Rights that the government's turn to harsh austerity measures may well be in violation of its legal obligations (IACHR, 2016). Under international law, states' margin of discretion in responding to economic crises is not absolute. To be in compliance with human rights standards, fiscal consolidation measures must be temporary, strictly necessary and proportionate; non-discriminatory; take into account all possible alternatives, including tax measures; protect the minimum core content of human rights; and be adopted after the most careful consideration with genuine participation of affected groups and individuals in decision-making processes (Committee on Economic, Social and Cultural Rights, 2012, 2016).

On the first anniversary of Brazil's "New Fiscal Regime," this factsheet assesses whether the Expenditure Ceiling Act—and the austerity measures surrounding it—comply with these aforementioned criteria established under international human rights law. EC 95 has already begun to disproportionately affect disadvantaged groups, such as Afro-Brazilian women and people living in poverty. Since its approval, new findings presented here show that significant measures have been devised from the most important social programs towards debt service payments, threatening to exacerbate the extreme levels of economic inequality. This factsheet demonstrates how these fiscal decisions put at risk the basic social and economic rights of millions of Brazilians, including the rights to food, health and education, while exacerbating gender, racial and economic inequalities. Meanwhile, the Brazilian government has not demonstrated that EC 95 was necessary, proportionate and a last resort measure, nor that less restrictive alternative measures have been explored and analyzed. In fact, there is solid evidence showing that alternatives—such as more progressive taxation and tackling tax abuse—are readily available. Further, these fiscal consolidation measures have not benefited from public participation, as the measures were pushed through in the midst of narrowing opportunities for public scrutiny, accountability, and access to information. The EC 95 is also hardly temporary, but will extend for into future economic recoveries that may occur over the next two decades. These pro-cyclical fiscal measures over run counter to the government's own aims of deficit reduction. This factsheet illustrates how austerity in Brazil stands in serious breach of human rights obligations, including those enshrined in the country's Constitution, while jeopardizing decades of socio-economic progress.

SNAPSHOTS FROM A LOST DECADE FOR HUMAN RIGHTS

Reflecting on 10 years since the financial crisis

“CESR has been groundbreaking in linking tax justice and human rights in its research and has been very effective on economic inequality issues.”

- Dereje Alemayehu, Global Alliance for Tax Justice

ADVANCING HUMAN RIGHTS IN SUSTAINABLE DEVELOPMENT

CESR engages critically with the 2030 Agenda for Sustainable Development—which includes global commitments on a range of human rights issues—as a means of realizing economic and social rights and tackling inequality. In 2018, we advocated for rights-affirming implementation of the Sustainable Development Goals (SDGs) and monitored States’ commitments to them, particularly SDG 10 on reducing inequality within and between countries. We also promoted human rights-centered alternatives to dominant development models and investigated the challenges and opportunities for social and economic rights in countries undergoing post-conflict or democratic transitions.



The annual Spotlight on Sustainable Development report advocated for rights-based policy proposals to overcome obstacles to achieving the SDGs, including tackling the intense market and wealth concentration contributing to wealth inequality. Co-published by CESR with the Arab NGO Network for Development (ANND); Development Alternatives with Women for a New Era (DAWN); Global Policy Forum (GPF); Public Services International (PSI); Social Watch; Society for International Development (SID); and Third World Network (TWN), the Spotlight Report is the most comprehensive civil society “shadow” report on the 2030 Agenda.



As the High-Level Political Forum on Sustainable Development reviewed national progress in SDG implementation, a CESR postcard campaign drew on the organization’s national-level work in Switzerland, Spain, Egypt and Colombia, to highlight underlying and overlooked development challenges. These included the need to tackle tax havens, end fiscal austerity, ease restrictions on civil society space and ensure progressive fiscal reforms in post-conflict transitions.



Photo by Prensa Latina

With Colombian human rights organization Dejusticia, CESR explored lessons from twenty years of transitional policies in Colombia to assess the extent to which development policies mandated by the peace agreements take into account the economic and social rights of displaced populations. CESR, Dejusticia and Friedrich Ebert Stiftung Colombia (FESCOL) also highlighted the critical role of progressive fiscal policy in fulfilling human rights in the context of Colombia’s transition, on the occasion of the country’s Universal Periodic Review.



CESR fostered and led debates within and beyond the human rights movement on the need to tackle extreme economic inequality as a human rights imperative. An Open Global Rights debate guest-edited by CESR brought together contributions from leading human rights and development practitioners and activists. Its ongoing work to use human rights instruments to challenge inequality across the globe enabled CESR to introduce a nuanced and grounded perspective to critiques of the redistributive scope of the human rights framework.

SPAIN

Austerity Deepens Inequalities

In the wake of 8 years of austerity:

- SPAIN is now the most unequal country in the Eurozone
- The gap between the rich and poor has grown
- Child poverty is among the highest in Europe
- Undocumented migrants' mortality rate rose
- Social spending fell 6% from 2009-14

www.cesr.org/countries/spain

CENTER FOR ECONOMIC AND SOCIAL RIGHTS AT 25

Tax havens impede sustainable development

SWITZERLAND

- SWITZERLAND is number one on the Financial Secrecy Index, and home to over a third of the world's offshore wealth.
- This financial secrecy deprives other countries of billions of dollars of tax revenue—resources desperately needed to fund the Sustainable Development Goals.
- In 2016, the UN Committee on Discrimination Against Women pointed out negative impacts of Swiss financial secrecy policies on women's rights globally, and recommended an independent spillover assessment of these impacts.

www.cesr.org/countries/switzerland

CENTER FOR ECONOMIC AND SOCIAL RIGHTS AT 25

Peace and equality demand fiscal justice

COLOMBIA

COLOMBIA is the second most unequal country in Latin America. The richest 1% hold 20% of income—60% of which is not taxed. 5% of GDP was lost through tax incentives in 2016—half the resources needed for the Peace Agreement over the next 15 years.

central government social spending per capita was less than the Latin American average.

www.cesr.org/countries/colombia

CENTER FOR ECONOMIC AND SOCIAL RIGHTS AT 25

SPOTLIGHT

on Sustainable Development 2018

Exploring new policy pathways

How to overcome obstacles and contradictions in the implementation of the 2030 Agenda

Report by the Civil Society Reflection Group on the 2030 Agenda for Sustainable Development

2018 | COLOMBIA UNIVERSAL PERIODIC REVIEW

FISCAL POLICY, PEACE AND HUMAN RIGHTS

In the context of its Peace Agreement, Colombia has made significant progress in several recommendations accepted in its last Universal Periodic Review in 2013. The biggest challenge today is the implementation of this Agreement, and in overcoming enormous deficits in economic, social, and cultural rights, which disproportionately affect indigenous, Afro-descendant, peasant (campesino), and other populations. The insufficient mobilization of public resources to finance the Agreement's implementation and other reforms necessary to address grave socioeconomic injustices, as well as the country's dependence on an unsustainable and inequitable development model, are some of the main obstacles facing the fulfillment of human rights. Colombia is in the process of entering the OECD, but it lags significantly with the OECD's indicators on social and fiscal areas.

COLOMBIA IS THE SECOND MOST UNEQUAL COUNTRY IN THE MOST UNEQUAL REGION OF THE WORLD. In Latin America—the most unequal region on the planet—a person in the richest quartile earns 13 times what a person in the poorest quartile earns in Colombia; those in the richest quartile earn 22 times more than those in the poorest (CEPAL, 2017: 56). The richest 1% holds 20.4% of total income (World Income Database, 2017). The distribution of key resources, such as land, is the most unequal of the continent: the largest 1% of farms account for 80% of rural land (ICRAF, 2017). Inequality is also reflected in enormous disparities in the enjoyment of rights: an indigenous girl in the Guaviare department is 778 times more likely to die of malnutrition before she reaches five years of age than a boy in Bogotá (INEC, 2016: 4). In 2014, 39 children died of malnutrition, of which 73% were indigenous (INEC, 2016b: 74).

FIG 1. Inequality in Latin American countries, 2014-2015

FIG 2. Monitor poverty and urban rural gap, 2010-2017

FIG 3. SOCIAL INDICATORS LAG IN COLOMBIA AND OTHER COUNTRIES AND OTHER INDICATORS

FIG 4. PROGRESS: FIGHTING POVERTY IS SLOWING, WHILE TERRITORIAL GAPS ARE WIDENING. For the first time since 2002, rates of income poverty and extreme income poverty increased in 2016. These rates dropped again in 2017, but at a slower pace. Although multidimensional poverty has reduced consistently

Source: CEPAL, 2017

Source: OANE, 2018

“CESR is a human rights organization that does profound and far-reaching work on the 2030 Agenda, accountability and its human rights interlinkages.”

- Savio Carvalho, WaterAid

STRENGTHENING RIGHTS CLAIMING AND ACCOUNTABILITY

CESR supports efforts by civil society groups and affected communities seeking to secure their economic and social rights. We partner with organizations and individuals around the world to share innovative human rights monitoring skills and methodologies, including using and visualizing statistical data; and to strengthen the capacity of accountability bodies at the national, regional and international levels to enforce economic and social rights and hold governments responsible for their obligations. We also support rights claiming through ongoing, strategic partnerships with activists, lawyers and advocates from around the world.



The Egypt Social Progress Indicators, a groundbreaking online monitoring and accountability tool gauging Egypt's socioeconomic rights situation and its progress on sustainable development, was launched by CESR in collaboration with Egyptian civil society partners, including the Egyptian Center for Economic and Social Rights (ECESR); the Egyptian Initiative for Personal Rights (EIPR); and Social Justice Platform (SJP).



Forty representatives from national human rights institutions (NHRIs) in the Americas and Asia were trained in the use of OPERA, CESR's comprehensive framework for analyzing the fulfillment of economic and social rights. NHRI workshops were carried out by CESR in Honduras and Nepal and in partnership with the Human Rights Commission in Scotland.



Photo by South African Democratic Teachers Union

After receiving evidence from CESR and partners on the harmful and unequal impacts of austerity measures on the rights to health and education in South Africa, the Committee on Economic, Social and Cultural Rights called on South Africa to review its fiscal policies contributing to "unacceptably high levels of economic and social inequalities" and work toward greater economic redistribution. CESR and Dejusticia's guidance to support the advancement of progressive standards to monitor States' use of "maximum available resources" also contributed to these efforts.



CESR joined efforts with the Botswana Labour Migrants Association (BoLama) and the Center for International Human Rights at Northwestern University Law School to undertake a two-week field research trip to Botswana to gather qualitative primary data measuring the health and human rights impacts of diamond mining and to assess the Botswanan government's responsibilities to miners under the right to health. CESR is also supporting the promotion of industry accountability in regional and international human rights systems.



The project on Mapping Evidence in National Litigation on Economic and Social Rights examined economic and social rights litigation from around the world to determine the kinds of evidence used in those cases, and to consider the different types of legal conclusions they helped to substantiate.



The OPERA House Project collected user feedback to understand what tools activists use as they tackle human rights violations, through an OPERA user survey and in-depth interviews generating further insight on users' needs. The OPERA Stories blog series highlighted the work of CESR's global partners, exploring the different ways they have used the OPERA rights monitoring framework to support rights claiming and accountability in different contexts.

SOUTH AFRICA

AUSTERITY IN THE MIDST OF INEQUALITY THREATENS HUMAN RIGHTS

FACTSHEET No. 18

VISUALIZING RIGHTS

The factsheet examines the enjoyment of economic and social rights in South Africa, ahead of the country's first appearance before the UN Committee on Economic, Social and Cultural Rights in October 2018. Specifically, it uses indicators based on national and international data sources to explore whether the South African government is fulfilling its obligations under Article 2(1) of the International Covenant on Economic, Social and Cultural Rights (the Covenant) to take steps to progressively realize these rights using the "maximum of its available resources".

Post-austerity South Africa provides a striking case study of the interplay between economic inequality, social exclusion and human rights deprivations. Despite the more inclusive agenda initiated in 1994 which included the adoption of some of the strongest constitutional protections for economic and social rights in the world, enjoyment of these rights remains elusive for the majority of people. Systemic inequality continues to be ingrained in the country's economic and social structures, resulting in the world's highest levels of income and wealth inequality. Poverty and unemployment are experienced by a large percentage of society and intersect with disparities in access to quality health care, education, housing and even food. Corruption hinders such conditions of inequality. It diverts available resources and erodes trust in public administration and private enterprise alike. These inequalities undermine opportunities for public participation and accountability.

Compounding these challenges is the fact that the South African government has adopted a policy of fiscal austerity in recent years. Austerity is being imposed in response to rising but moderate public debt, pressure from credit rating agencies and lower-than-expected GDP growth and revenue collection. These negative trends occur in a context of lower prices for South Africa's mineral exports, widespread corruption and "state capture" during the Jacob Zuma administration, as well as the mismanagement of critical state-owned enterprises. Austerity has taken the form of cuts in government expenditure and regressive tax changes, which

present a growing threat to the achievement of social justice that is at the heart of the South African Constitution.

The factsheet focuses particularly on inadequate and inefficient monitoring for the rights to health (Article 12) and education (Article 15). Health expenditure per uninsured person has declined in recent years. Due to limited government expenditure, most provinces are suffering from chronic staff shortages. This is resulting in an overall reduction in the quality of public healthcare. Real education spending per pupil has also declined, resulting in funding cuts to much-needed school infrastructure programmes and underfunding of the country's poorest schools.

Post-austerity South Africa provides a striking case study of the interplay between economic inequality, social exclusion and human rights deprivations.

These measures do not comply with South Africa's obligations under the Covenant and in particular the non-retrogression clause set out by the Committee. Namely that such measures must be temporary, legitimate, reasonable, necessary, proportionate, not directly nor indirectly discriminatory, accord priority attention to disadvantaged groups, provide for the maximum use of available rights, and based on transparency and genuine participation of affected groups and subject to meaningful review and accountability procedures (Committee on Economic, Social and Cultural Rights, 2015). In order to regulate the need for austerity, South Africa must take steps to maximize the resources available for the protection and fulfilment of human rights. This can be done by developing a more equitable tax policy that contributes to the redistribution of income and wealth and by taking meaningful steps to tackle rampant corruption and state capture. Redistributors including wealth is essential to expand fiscal space and enable a shift towards the people-centred rights-based development envisaged in the Constitution.

CENTER FOR ECONOMIC AND SOCIAL RIGHTS 25th ANNIVERSARY INSTITUTE FOR ECONOMIC JUSTICE SECTION 27 SPH

EGYPT SOCIAL PROGRESS INDICATORS

Measuring Progress Towards Improved Wellbeing In Egypt

ESPI Annual Report 2018

Defending Dignity

A Manual for National Human Rights Institutions on Monitoring Economic, Social and Cultural Rights

APF ASIA PACIFIC FORUM CENTER FOR ECONOMIC SOCIAL JUSTICE THROUGH HUMANITY

“CESR has consistently supported our agenda without imposing their own on us. They showed us how an international partner ought to be—supportive, understanding and dedicated to strengthening our local work while reinforcing our cause on an international level.”

- Heba Khalil, Social Justice Platform (Egypt)

BEYOND BOUNDARIES: ALLYING HUMAN RIGHTS WITH OTHER STRUGGLES FOR ECONOMIC AND SOCIAL JUSTICE

In August 2018 CESR convened an international gathering in Lima, Peru, entitled Beyond Boundaries: Allying Human Rights with Other Struggles for Economic and Social Justice.



Made possible by the support of the Open Society Foundations, Beyond Boundaries brought together environmental and land rights activists, tax justice campaigners, feminist economists, Indigenous peoples' rights defenders and others to explore how cross-movement collaboration and collective strategies can advance more effective advocacy for economic and social rights in the current environment. Participants found that such collaborations build collective power by bridging frames and visions of justice, pooling knowledge across disciplines and enriching strategies for bringing about change.



Participants recommended building cross-movement networks founded on relationships of mutual trust that recognize and address ideological divides and hierarchies. The inclusion of social and grassroots movements based in political, economic and financial realities was recommended, as was broadly democratized research and dynamic mapping of the trends and actors involved. Funders were encouraged to focus on strengthening long-term power building to sustain efforts toward systemic change.

"CESR's support for national civil society organizations and social movement leaders is crucial because it brings those actors into multilateral spaces where their voices and needs can be elevated."

**- Grazielle David,
Fiscal Justice Network of
Latin America and the Caribbean**

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ANONYMOUS

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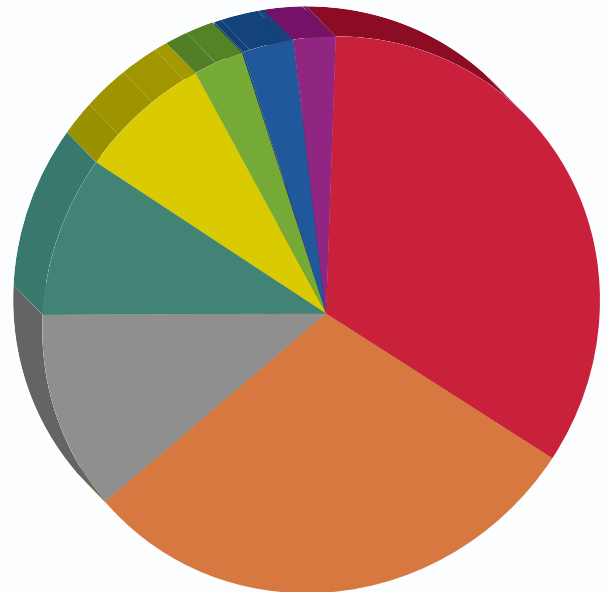
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EXPENSES: \$1,486,248

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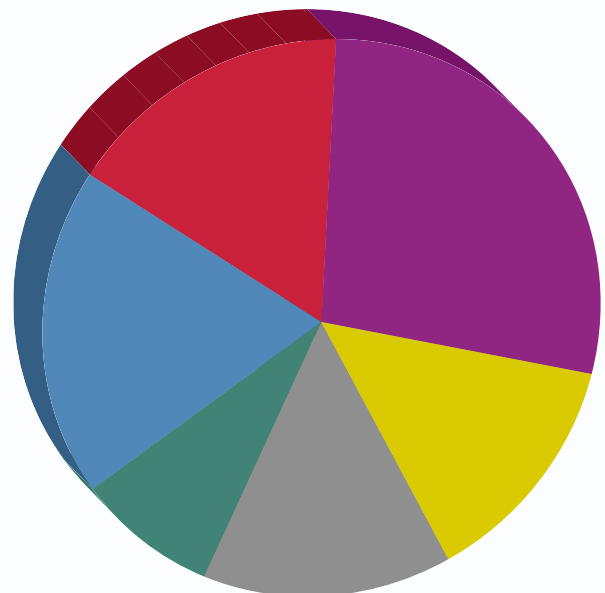
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SOCIAL JUSTICE THROUGH HUMAN RIGHTS

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CONTACT

86 Chambers Street, Suite 704,
New York, NY, USA 10007

TEL: +1 (718) 237-9145

FAX: +1 (718) 237-9147

www.cesr.org

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86 Chambers Street, Suite 704,
New York, NY, USA 10007

TEL: +1 [718] 237-9145

FAX: +1 [718] 237-9147

www.cesr.org

info@cesr.org

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