



**Economic and Social  
Council**

Distr.  
GENERAL

E/C.12/38/1  
21 March 2007

Original: ENGLISH

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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Thirty-eighth session  
Geneva, 30 April – 18 May 2007

**PROVISIONAL AGENDA AND ANNOTATIONS  
AND TENTATIVE PROGRAMME OF WORK**

**Note by the Secretary-General**

1. The thirty-eighth session of the Committee on Economic, Social and Cultural Rights, established in accordance with Economic and Social Council resolution 1985/17, will be held at the United Nations Office at Geneva from 30 April to 18 May 2007 (Palais Wilson). The first meeting will be convened on Monday, 30 April 2007, at 10 a.m.
2. The attached provisional agenda and annotations for the thirty-eighth session of the Committee have been prepared by the Secretary-General in accordance with rule 4 of the rules of procedure of the Committee.
3. The attention of the States parties is drawn, in particular, to the annotations to item 6 containing the list of reports that will be before the Committee at its thirty-eighth and future sessions.

## PROVISIONAL AGENDA

1. Election of Chairperson and other officers of the Committee
2. Adoption of the agenda.
3. Organization of work.
4. Substantive issues arising on the implementation of the International Covenant on Economic, Social and Cultural Rights.
5. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.
6. Relations with United Nations organs and other treaty bodies.
7. Meeting with States parties.
8. Consideration of reports:
  - (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;
  - (b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.
9. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant.
10. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.
11. Miscellaneous matters.

## ANNOTATIONS

### **1. Election of Chairperson and other officers of the Committee**

In accordance with Rule 14 of the Rules of Procedure, the Committee shall elect from among its members a Chairperson, three Vice-Chairpersons and a Rapporteur. The officers of the Committee shall be elected for a term of two years (Rule 15). Under Rule 53 of the Rules of Procedure, elections shall be held by secret ballot, unless the Committee decides otherwise in the case of an election to fill a place for which there is only one candidate.

### **2. Adoption of the agenda**

Under rule 8 of the Committee's rules of procedure, the first item on the agenda for any session shall be the adoption of the agenda. In accordance with rule 9, the Committee may revise the agenda during a session and may, as appropriate, defer or delete items. Under rule 5 of the rules of procedure, the first item on the provisional agenda of any session shall be the adoption of the agenda, except for the election of its officers when required under rule 14. In accordance with rule 6 the Committee, during a session, may revise the agenda and may, as appropriate, add, delete or defer items.

### **3. Organization of work**

In accordance with rule 8 of its rules of procedure, at the beginning of each session, the Committee shall consider appropriate organizational matters, including the schedule of its meetings. In this connection, the attention is drawn to the draft programme of work for the session, prepared by the Secretary-General in consultation with the Chairperson of the Committee and in accordance with established practice .

### **4. Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights**

In accordance with Rule 65 of its Rules of Procedure, the Committee may prepare general comments based on the various articles and provisions of the Covenant with a view to assisting States parties in fulfilling their reporting obligations. The Committee decided at its fourteenth session (28 April-17 May 1996) that as from its fifteenth session its discussions relating to the implementation of the Covenant (days of general discussion, consideration and adoption of general comments, methods of work, NGO submissions, etc.) would be conducted under this agenda item. At its thirty-seventh session, the Committee decided to continue to examine at its thirty-eighth session draft general comments prepared by the respective rapporteurs on article 9 (the right to social security) and on article 2.2 (non discrimination).

### **5. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant**

At its fourteenth session, the Committee on Economic, Social and Cultural Rights, recognizing the importance of periodically reviewing the implementation by States parties of its suggestions and recommendations, requested the secretariat to submit to it, as from the fifteenth session, a document indicating all cases where a follow-up had been suggested by the

Committee. In this connection, the attention of the members of the Committee is drawn to document E/C.12/2003/3 which contains the requested information.

## **6. Relations with United Nations organs and other treaty bodies**

The Committee decided at its sixth session to nominate individual members to follow the work of each of the other treaty bodies. Such members are to follow as closely as possible the work of the relevant committees, to liaise where possible with members of these committees and to present an oral report on developments of both a procedural and substantive nature in their work which appeared to be of specific relevance to the work of the Committee (E/1992/23, paras. 371-373).

Under this agenda item, the Committee will consider matters emanating from the last meeting of Chairpersons and the last Inter-Committee Meeting (ICM) and discuss issues to be raised at the next meetings scheduled to take place in June 2007. The reports of the previous meeting of Chairpersons/ICM, as well as their inter-sessional meetings on harmonization of working methods and reservations to the human rights treaties, will be available to Committee members.

Meetings of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/ Economic and Social Council (Committee on Economic, Social and Cultural Rights) on the Monitoring of the Right to Education, established by ECOSOC decision 2003/310 of 25 July 2003 and decision 5.4 of the UNESCO Executive Board in October 2001, will be convened during the session. The Joint Expert Group is composed of four members: two members from the Committee on Economic, Social and Cultural Rights and two members from the UNESCO Committee on Conventions and Recommendations. The joint meeting will take place over two days at Palais Wilson in Geneva.

## **7. Meeting with States parties**

In accordance with the established practice of the Committee to meet regularly with representatives of States parties to engage in a discussion on matters relating to the implementation of the Covenant, the Committee will reserve a half day for a meeting with States parties. The meeting is tentatively set for the 18<sup>th</sup> meeting of the Committee, on the afternoon of 10 May 2007.

## **8. Consideration of reports**

### **(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant**

In accordance with rule 61, paragraph 2, of its rules of procedure, the Committee shall normally consider the reports submitted by States parties under article 16 of the Covenant in the order in which they have been received by the Secretary-General. Representatives of the reporting States are entitled to be present at the meetings of the Committee when their reports are examined; such representatives should be able to make statements on the reports submitted by their Governments and reply to questions which may be put to them by the members of the Committee.

In accordance with rule 62, paragraph 2, of the Committee's rules of procedure, the Secretary-General, in a note verbale dated 8 December 2006, informed the States parties concerned of the opening date and duration of the thirty-eighth session of the Committee, and invited them to send representatives to attend the meetings of the Committee at which their reports would be considered. Following consultations with the Permanent Missions of the concerned States parties about the dates at which their respective reports would be examined, the tentative timetable for consideration of those reports contained in the present document was prepared by the Secretary-General in consultation with the Chairperson of the Committee.

As at 13 March 2007, sixteen reports as listed below had been received by the Secretary-General and were pending consideration by the Committee. The reports of the States parties which are scheduled for consideration at the thirty-eighth session of the Committee (November 2006) are identified in the last columns of the tables that follow. Their scheduling for consideration by the Committee at its future sessions is subject to approval by the Committee.

### Reports received and pending consideration

<i>Initial reports</i>	<i>Symbol</i>	<i>Date received</i>	<i>Date due</i>	<i>Scheduled for consideration at:</i>
<b>1. Kenya</b>	E/C.12/KEN/1	07.09.2006	30.06.1995	
<b>2. Latvia</b>	E/1990/5/Add.70	12.08.2005	30.06.1994	38 <sup>th</sup> session, May 2007

<i>Second periodic reports</i>	<i>Symbol</i>	<i>Date received</i>	<i>Date due</i>	<i>Scheduled for consideration at:</i>
<b>1. Bolivia</b>	E/C.12/BOL/2	30.01.2007	30.06.2005	
<b>2. Costa Rica (Second-fourth periodic reports)</b>	E/C.12/CRI/4	05.05.2006	30.06.1993 30.06.1998 30.06.2003	39th session (November 2007)
<b>3. India (Second-fifth periodic reports)</b>	E/C.12/IND/5	23.10.2006	30.06.1991 30.06.1996 30.06.2001 30.06.2006	
<b>4. Nepal</b>	E/C.12/NPL/2	30.06.2006	30.06.2006	38th session (May 2007)
<b>5. Paraguay (Second-third periodic reports)</b>	E/C.12/PRY/3	31.08.2006	30.06.1999 30.06.2004	
<b>6. Philippines (Second-fourth periodic reports)</b>	E/C.12/PHL/4	18.12.2006	30.06.1995	

**periodic  
reports)**

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<b>Third periodic reports</b>	<b>Symbol</b>	<b>Date received</b>	<b>Date due</b>	<b>Scheduled for consideration at:</b>
1. Belgium	E/C.12/BEL/3	15.05.2006	30.06.2005	
2. Dominican Republic	E/C.12/DOM/3	13.11.2006	30.06.1999	
3. France	E/C.12/FRA/3	06.03.2007	30.06.2006	
4. Netherlands (Antilles)	E/C.12/ANT/3	18.08.2005	30.06.1997	<i>38th session (May 2007)</i>
5. Hungary	E/C.12/HUN/3	29.09.2005	30.06.1994	<i>38th session (May 2007)</i>

<b>Fifth periodic reports</b>	<b>Symbol</b>	<b>Date received</b>	<b>Date due</b>	<b>Scheduled for consideration at:</b>
1. Ukraine	E/C.12/UKR/5	07.06.2006	30.06.2006	
2. Finland	E/C.12/FIN/5	10.10.2005	30.06.2005	<i>38th session (May 2007)</i>
3. Sweden	E/C.12/SWE/5	26.07.2006	30.06.2006	

**(b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant**

In accordance with rule 67 of its rules of procedure, the Committee is entrusted with the task of considering the reports submitted by specialized agencies pursuant to article 18 of the Covenant.

In accordance with rule 68 of the rules of procedure, the representatives of the specialized agencies concerned may make statements on matters falling within the scope of the activities of their respective organization in the course of the discussion by the Committee of the report of each State party to the Covenant. The representatives of the States parties presenting reports to the Committee shall be free to respond to, or take into account, the statements made by the specialized agencies. The Secretary-General has invited the following specialized agencies, United Nations organs and financial institutions to send representatives to attend the meetings of the Committee: International Labour Organization (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), Office of the United Nations High Commissioner for Refugees (UNHCR), World Intellectual Property Organization (WIPO), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Conference on Trade and Development (UNCTAD), United Nations Population

Fund (UNFPA), Joint United Nations Programme on HIV/AIDS (UNAIDS), International Monetary Fund (IMF), World Bank and World Trade Organization (WTO).

Any report which may be received from the specialized agencies under article 18 of the Covenant will be made available to the Committee in due course.

#### **9. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant**

In accordance with rule 59, paragraph 1, of its rules of procedure, the Committee shall at each session consider the status of submission of reports under article 16 of the Covenant and may make appropriate recommendations to the Council, including recommendations to the effect that the Secretary-General should send reminders to States parties from which reports have not been received.

The Committee will have before it under this item the following document:

Note by the Secretary-General on the States parties to the Covenant and the Status of submission of reports (E/C.12/38/2).

#### **10. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies**

Pursuant to rule 64 of its rules of procedure, the Committee may wish to make suggestions and recommendations of a general nature on the basis of its consideration of reports submitted by States parties and the reports submitted by specialized agencies, in order to assist the Council to fulfil, in particular, its responsibilities under articles 21 and 22 of the Covenant. The Committee may also wish to make suggestions for consideration by the Council with reference to articles 19, 22 and 23 of the Covenant.

#### **11. Miscellaneous matters**

At its twenty-first session (1999), the Committee decided to include in its agenda a standing item, "Miscellaneous matters", under which it may consider any issue falling outside the scope of other standing agenda items.

## TENTATIVE PROGRAMME OF THE 38<sup>TH</sup> SESSION OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

First week: 30 April – 4 May 2007

### Monday, 30 April

1st meeting	(public)		Solemn oath by new members
		<u>Item 1</u>	Election of officers
		<u>Item 2</u>	Adoption of the agenda
		<u>Item 3</u>	Organization of the work
		<u>Item 5</u>	Follow-up to the Committee's consideration of States parties' reports
		<u>Item 9</u>	Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant
		<u>Item 6</u>	Relations with United Nations organs and other treaty bodies
2nd meeting	(public)	<u>Item 4</u>	Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights: <u>NGO submissions</u>

### Tuesday, 1 May

3rd meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Nepal</u> (second periodic, E/C.12/NPL/2)
4th meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Nepal</u> ( <i>continued</i> )

### Wednesday, 2 May

5th meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Nepal</u> ( <i>continued</i> )
6th meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Hungary</u> (third periodic, E/C.12/HUN/3)

### Thursday, 3 May

7th meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Hungary</u> ( <i>continued</i> )
8th meeting	(public)	<u>Item 8</u>	Consideration of reports: <u>Hungary</u> ( <i>continued</i> )

**Friday, 4 May**

- 9th meeting (public) Item 8 Consideration of reports: Netherlands Antilles (third periodic, E/C.12/ANT/3)
- 10th meeting (public) Item 8 Consideration of reports: Netherlands Antilles (*continued*)

**Second week: 7-11 May 2007**

**Monday, 7 May**

- 11<sup>th</sup> meeting (public) Item 8 Consideration of reports: Finland (fifth periodic report, E/C.12/FIN/5)
- 12<sup>th</sup> meeting (public) Item 8 Consideration of reports: Finland (*continued*)

**Tuesday, 8 May**

- 13<sup>th</sup> meeting (public) Item 8 Consideration of reports: Finland (*continued*)
- 14<sup>th</sup> meeting (public) Item 8 Consideration of reports: Latvia (initial report, E/1990/5/Add.70)

**Wednesday, 9 May**

- 15<sup>th</sup> meeting (public) Item 8 Consideration of reports: Latvia (*continued*)
- 16<sup>th</sup> meeting (public) Item 8 Consideration of reports: Latvia (*continued*)
- (private) Item 6 Relations with United Nations organs and other treaty bodies: Joint Expert Group (*continued*)

**Thursday, 10 May**

- 17<sup>th</sup> meeting (private) Item 6 Matters for discussion for the 19<sup>th</sup> Meeting of Chairpersons and 6<sup>th</sup> Inter-Committee Meeting (June 2007)
- 18<sup>th</sup> meeting (private) Item 7 Meeting with States parties

**Friday, 11 May**

- 19<sup>th</sup> meeting (private) Item 4 Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights: Consideration of a draft general comment on article 9 of the Covenant (right to social security)
- 20<sup>th</sup> meeting (private) Item 4 Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights: Consideration of a draft general comment on

article 9 of the Covenant (right to social security)

**Third week: 14-18 May 2007**

**Monday, 14 May**

21<sup>st</sup> meeting (private) Item 4 Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights: trade and human rights

22<sup>nd</sup> meeting (private) Item 8 Consideration of reports: Adoption of concluding observations

**Tuesday, 15 May**

23<sup>rd</sup> and 24<sup>th</sup> meetings (private) Item 8 Consideration of reports: Adoption of concluding observations (*continued*)

**Wednesday, 16 May**

25<sup>th</sup> and 26<sup>th</sup> meetings (private) Item 8 Consideration of reports: Adoption of concluding observations (*continued*)

**Thursday, 17 May**

27<sup>th</sup> and 28<sup>th</sup> meetings (private) Item 8 Consideration of reports: Adoption of concluding observations (*continued*)

**Friday, 18 November**

29<sup>th</sup> and 30<sup>th</sup> meetings (private) Item 8 Consideration of reports: Adoption of concluding observations (*continued*)

(public) Item 10 Formulation of suggestions and general recommendations

Item 11 Miscellaneous matters  
Close of the 38<sup>th</sup> session

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