



RIGHTS PROTOCOL OF SAN SALVADOR



Organization of American States
More rights for more people

WHAT ARE ECONOMIC, SOCIAL AND CULTURAL RIGHTS?

Economic, social and cultural rights (ESCRs) include the rights to:



ESCRs are recognized and protected in international and regional human rights instruments.

State Parties have a legal obligation to respect, protect and fulfill these rights and are expected to take progressive action towards their fulfillment.

Crosscutting rights:



TO THE FORMATION AND PROTECTION OF FAMILIES



OF CHILDREN



OF OLDER PERSONS



OF PERSONS WITH DISABILITIES



OF NONDISCRIMINATION

ESCRs ARE ENSHRINED IN...

The Protocol of San Salvador (PSS)

The Additional Protocol to the American Convention on Human Rights in the area of Economic Social and Cultural Rights ("Protocol of San Salvador") establishes the obligations of the countries in the Americas related to the fulfillment of the right to health, the right to adequate food, the right to enjoy a healthy environment, the right to education, the right to work and trade union rights, the right to social security and cultural rights.

It has been effective since **1999**

Signatory states

19

Ratifications to date

16

HOW DO WE MEASURE ESCRs IN THE REGION?

Progress Indicators for Measuring Rights under the PSS

Fundamental Principles:

EQUALITY & NON - DISCRIMINATION



ACCESS TO INFORMATION & PARTICIPATION



ACCESS TO JUSTICE



Monitoring ESCRs through a methodology of indicators is innovative in the region. The indicators provide information on advances in public policies, recognizing the principle of PROGRESSIVENESS and NON-REGRESSION of ESCRs.

Type of Indicators:

• **STRUCTURAL** Reflect the ratification or approval of basic international legal instruments to facilitate the realization of a fundamental human right; and provide information for evaluating how the State organizes its institutional machinery and legal system to meet its obligations.

• **PROCESS** Measure the quality and extent of the state's efforts to implement rights.

• **OUTCOME** Capture attainments, individual and collective, that reflect the status of realization of human rights in a given context.

WHO ANALYZES STATE'S REPORTS ON ESCRs ?

Working Group of the PSS



WGPSS Technical Secretariat: OAS Secretariat for Access to Rights and Equity / Department of Social Inclusion.

The Working Group to Examine the National Reports Envisioned in the PSS (WGPSS):

3 government experts and 1 alternate

1 independent expert and 1 alternate

1 member of the Inter-American Commission of Human Rights and 1 alternate

Among its responsibilities, the WGPSS:

- ✓ Defined the indicators to be included in State Parties' reports for the compliance of the PSS (art 19)
- ✓ Provides technical cooperation to States
- ✓ Analyzes and monitors compliance of obligations under the PSS