



American States progress in the implementation of the Protocol of San Salvador



The Additional Protocol to the American Convention on Human Rights "Protocol of San Salvador" is the first legal instrument that specifically addresses the Economic, Social and Cultural Rights in the Americas. It entered into force in November 1999 and was ratified by 16 OAS Member States.

The OAS General Assembly, considering that Article 19 of the Protocol of San Salvador provides the commitment of States Parties to submit periodic reports on the progressive measures they have taken to its application, created the Working Group to Examine the National Reports Envisioned in the Protocol of San Salvador. The Working Group developed a methodology on the first group of protected rights that States Parties must report (Right to Social Security, Health and Education), which was adopted by the OAS General Assembly, who also gave the Group Working the mandate to develop progress indicators to be used for each group of rights. According to the General Assembly's Resolution AG/RES. 2713 (XLII-O/12), States Parties must submit the first national report of progress on the first group of protected rights before June 2014.

In this context, the Working Group met at OAS headquarters on October 24 and 25, 2012 to follow up on reports of the first group of protected rights, elaborate its internal rules and advance on the development of the methodology for the reports on the second group of protected rights (Labor and Trade Union Rights, Rights to Food, to the Benefits of Culture and to a Healthy Environment). In addition, the Working Group, represented by government experts Flávia Piovesan from Brazil and Paola Buendia from Colombia, and the independent expert Laura Pautassi, presented before the OAS Committee on Juridical and Political Affairs the progresses and challenges for the compliance of the Protocol of San Salvador, highlighting that "the process shows that, with the States' political will and the support of the civil society, it was implemented the first instrument on Economic, Social and Cultural American system" and in the same way "reaffirms the constitutional commitments that the States already have and enables them to have a unique opportunity to enrich their public policies and reaffirm the safeguard of the rights".

In the CAJP session, the support of the Republic of Argentina's Government to the Voluntary Fund of the Working Group was highlighted and the Member States was encouraged to continue to support the work of the Group for the purpose of ensuring the success of the process. In this regard, the delegation of Uruguay announced it will offer, in conjunction with the OAS Department of Social Development and Employment and with the support of the Spanish Agency for International Development Cooperation (AECID), the Inter-American Commission on Human Rights (IACHR) and the American Institute of Human Rights (AIHR), a course on progress indicators in the area of economic, social and cultural rights and their impact on the design of social policies.