



And
ECONOMIC SOCIAL AND CULTURAL RIGHTS WORKING GROUP

Programme Research Seminar on
Enforcement of Economic Social and Cultural Rights - A Critical
Review

11 November 2011

(Erasmus University Rotterdam, Jan Moen Zaal, J5 Conference Room,
J Building Campus Woudestein)

In recent years there has been an increase of litigation of Economic, Social and Cultural Rights (ESC), both at the domestic and international level. This seminar attempts to make sense of this recent expansion in a critical light: Have we done enough to protect these rights? Are ESC rights still lagging behind? Should we implement strategies like the adoption of indicators in judicial decisions? Or are these special strategies in the end counterproductive, as they imply that ESC rights are truly different, when we should be aiming for identical treatment of the two sets of rights? Furthermore, we must question whether a litigation-based approach is ultimately effective for the most the most desperate and not essentially a tool for more conservative interests. Finally, we must contrast the normative ideals of ESC rights with a political environment where austerity is the key word. How can the worth of ESC rights be understood in this context?

We are inviting broad participation of senior and junior researchers, to address these questions. The seminar is open to both legal and interdisciplinary scholarship. The main objective is to assess, and if necessary challenge, the aims and methods of ESC rights enforcement.

SEMINAR SCHEDULE

10h00-10h20 - Coffee and Registration

10h20 -11h10 - Keynote Address: Prof. Ida Elisabeth Koch (Lund)

11h10-11h30 - Prof. Barbara Oomen (Utrecht University / Roosevelt Academy) Solving the chicken and egg game: Dutch civil society attempts to ensure enforcement of socio-economic rights

11h30 – 11h40- Coffee break

11h40-12h00 - Reena Mary George (University of Vienna) Economic, Social and Cultural Rights of Prisoners in India

12h00-12h20 - Jasper Krommendijk (Maastricht University) Why the process of state reporting under CRC in the Netherlands is somehow effective while this is not the case at all with the process under ICESCR

12h20-13h30- Lunch break

13h30-13h50 - Diana Contreras Garduno (Utrecht University) Two for the price of one? Economic, Social and Cultural Rights in the Inter-American System of Human Rights

14h00-14h20 - Maite San Giorgi (Erasmus University Rotterdam) The Human Right of Equal Access to Health and its Justiciability

14h20-14h40- Coffee break

14h40-15h00 - Jennifer Sellin (Maastricht University) Human rights and patent rights - access to medicines.

15h10-15h30 - Marie Elske Gispen (Utrecht University) Advancing Access to Opioid Analgesics for Pain Treatment The Right to Health v The International Drug Regulatory Framework

15h30-16h00 – Seminar closing and Working Group Meeting