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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on Prevention  
of Discrimination and  
Protection of Minorities  
Forty-seventh session  
Agenda item 8

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Mr. Ali Khan, Mr. Bengoa, Mr. Joinet, Mr. Khalil,  
Mr. Ramadhane and Ms. Warzazi: draft resolution

1995/... Effects on the full enjoyment of human rights  
of structural adjustment programmes

The Sub-Commission on Prevention of Discrimination and Protection of  
Minorities,

Recalling the provisions of the Charter which establish that one of the  
Purposes of the United Nations is to achieve international cooperation in  
solving international problems of an economic, social, cultural or  
humanitarian character, and in promoting and encouraging respect for human  
rights for all,

Reaffirming the commitment of States Members of the United Nations,  
contained in Article 56 of the Charter, to take joint and separate action in  
cooperation with the Organization for the achievement of the Purposes set  
forth in Article 55 of the Charter,

Conscious that the Universal Declaration of Human Rights provides that everyone is entitled to realization of the economic, social and cultural rights indispensable for his dignity and the free development of his personality,

Reaffirming the Declaration on Social Progress and Development proclaimed by the General Assembly in its resolution 2542 (XXIV) of 11 December 1969 and the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Mindful of the Vienna Declaration and Programme of Action (A/CONF.157/23) adopted by the World Conference on Human Rights, in which the need is underlined for a concerted effort to ensure recognition of economic, social and cultural rights at the national, regional and international levels,

Reaffirming the interdependence and indivisibility of civil, cultural, economic, political and social rights and that the promotion and protection of any of these rights should never exempt or excuse States from the promotion and protection of other rights,

Recognizing that the activities of the various organizations in the United Nations system should be closely interrelated and that it is necessary to draw on all the efforts made in the various disciplines relating to the human person in order to promote all human rights effectively,

Recalling the four reports of the Special Rapporteur on the realization of economic, social and cultural rights, Mr. Danilo Türk (E/CN.4/Sub.2/1989/19, E/CN.4/Sub.2/1990/19, E/CN.4/Sub.2/1991/17, E/CN.4/Sub.2/1992/16),

Recalling its resolutions 1989/20, 1989/21, 1990/16, 1991/27, 1992/29, 1993/36, 1993/40, 1994/37 and 1994/40, 1994/41 and 1994/48,

Recalling Commission on Human Rights resolutions 1989/15, 1990/17, 1990/18, 1991/13, 1992/9, 1993/12, 1994/11 and 1995/13,

Recalling also Commission on Human Rights resolution 1993/14, in which the Commission requested the Secretary-General to prepare basic policy guidelines on structural adjustment and economic, social and cultural rights, which could serve as a basis for a continued dialogue between human rights bodies and the international financial institutions,

Taking into account the report submitted by the Secretary-General in pursuance of its resolution 1994/37 of 26 August 1994 (E/CN.4/Sub.2/1995/10),

1. Endorses the report of the Secretary-General submitted in pursuance of its resolution 1994/37 of 26 August 1994 (E/CN.4/Sub.2/1995/10);

2. Requests the Commission on Human Rights to authorize an open-ended working group of the Commission to meet for a period of one week prior to its fifty-third session to elaborate, on the basis of the preliminary set of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights contained in the report of the Secretary-General (E/CN.4/Sub.2/1995/10, chap. II) and in close cooperation with the Committee on Economic, Social and Cultural Rights, policy guidelines on the subject-matter;

3. Invites the Commission on Human Rights to request the Secretary-General to invite Governments and intergovernmental and non-governmental organizations, as well as the Committee on Economic, Social and Cultural Rights, to contribute to the elaboration of draft policy guidelines by sending their comments on the preliminary set of basic policy guidelines, for consideration by the working group;

4. Recommends that the Commission on Human Rights consider this question at its fifty-second session under the agenda item entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: (a) problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development";

5. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, noting resolution 1995/... of ... August 1995 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, decides to establish an open-ended working group of the Commission to meet for a period of one week prior to its fifty-third session to elaborate, on the basis of the preliminary set of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights contained in document E/CN.4/Sub.2/1995/10 and

in close cooperation with the Committee on Economic, Social and Cultural Rights, policy guidelines on the subject-matter. The Commission also decides to invite Government and intergovernmental organizations and non-governmental organizations, as well as the Committee on Economic, Social and Cultural Rights, to contribute to the elaboration of draft policy guidelines by sending their comments on the preliminary set of basic policy guidelines, for consideration by the Working Group, and recommends the following draft decision to the Economic and Social Council for adoption:

'The Economic and Social Council, taking note of Commission on Human Rights decision 1996/... of ... 1996, approves the decision of the Commission on Human Rights to establish an open-ended working group of the Commission to meet for a period of one week prior to its fifty-third session to elaborate, on the basis of the preliminary set of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights contained in document E/CN.4/Sub.2/1995/10 and in close cooperation with the Committee on Economic, Social and Cultural Rights, policy guidelines on the subject-matter, and requests the Secretary-General to provide all assistance necessary to enable the working group to carry out its work.'

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