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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Agenda item 4 (a)

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

THE INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS

Mr. Alfonso Martinez, Mr. Benqoa, Mr. Eide, Ms. Hampson,
Mr. Joinet, Mr. Khalil, Mr. Mehedi, Mr. Oloka-Onyango,
Mr. Sang Yong Park, Mr. Sik Yuen, Mrs. Warzazi,
Mr. Weissbrodt and Mr. Yimer: draft resolution

1998/... Human rights and income distribution

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

Reaffirming the indivisibility, interdependence and interrelated nature
of economic, social and cultural rights and civil and political rights,

Mindful that the Universal Declaration of Human Rights, the
International Covenant on Economic, Social and Cultural Rights and a wide
range of additional texts provide unequivocally that every individual is
entitled to the full realization of economic, social and cultural rights,

Recalling the Declaration on the Right to Development, the Vienna Declaration and Programme of Action, and the results of the World Summit for Social Development held in Copenhagen, and especially the recommendations of its Programme of Action,

Recalling also the reports on the realization of economic, social and cultural rights submitted by many special rapporteurs to the Sub-Commission and to the Commission on Human Rights, in particular those submitted by Mr. Danilo Türk, Mr. Asbjørn Eide, Mr. Mustapha Mehedi, Mr. Leandro Despouy and Mr. El Hadji Guissé, as well as many other important reports on economic, social and cultural rights,

Taking account of Mr. Eide's preparatory document on the relationship between the enjoyment of human rights and income distribution (E/CN.4/Sub.2/1994/21) and the reports submitted by Mr. José Bengoa, Special Rapporteur on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and especially the conclusions and recommendations of his final report (E/CN.4/Sub.2/1997/9) and in its addendum (E/CN.4/Sub.2/1998/8),

Concerned that the implementation of economic, social and cultural rights has not yet received sufficient attention within the United Nations human rights programme,

Considering that there should be within the United Nations system a place for broader discussion and debates on economic, social and cultural rights,

Taking account of the new challenges of the globalization process, of the changes in the international order, and of the new actors in the international and national economic and financial areas,

1. Welcomes the final report on the relationships between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution, submitted by the Special Rapporteur, Mr. José Bengoa (E/CN.4/Sub.2/1997/9), and its addendum, entitled "Poverty, income distribution and globalization: a challenge for human rights" (E/CN.4/Sub.2/1998/8);

2. Endorses the conclusion of the final report and especially the recommendation on the establishment of a Social Forum within the Sub-Commission;

3. Requests the United Nations High Commissioner for Human Rights to publish, in a joint publication in the official languages of the United Nations, the preparatory document on the relationship between the enjoyment of human rights and income distribution (E/CN.4/Sub.2/1994/21), prepared by Mr. Asbjørn Eide, Mr. Bengoa's preliminary report (E/CN.4/Sub.2/1995/14), second report (E/CN.4/Sub.2/1996/14), final report (E/CN.4/Sub.2/1997/9) and its addendum (E/CN.4/Sub.2/1998/8), under the title Income Distribution and Human Rights;

4. Decides to submit to the Commission on Human Rights the following draft resolution for adoption:

"The Commission on Human Rights,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1998/... of .. August 1998,

Bearing in mind its fundamental role in the defence of human rights and its specific mandate in the prevention of situations relating to the full enjoyment of those rights,

1. Decides that the Sub-Commission on Prevention of Discrimination and Protection of Minorities should establish a forum on economic, social and cultural rights, to be called the Social Forum, to meet during its annual sessions with the following main objectives:

(a) To exchange information on the enjoyment of economic, social and cultural rights and its relationship to the process of globalization;

(b) To follow up on the relationship between income distribution and human rights at both the international and national levels;

(c) To follow up on situations of poverty and destitution in the world, bearing in mind that these amount to complete and permanent denial of the rights of individuals;

(d) To analyse violations of economic, social and cultural rights and to discuss guidelines on these matters;

(e) To propose legal standards and initiatives, guidelines and other recommendations to be considered by the Commission on Human Rights, the Intergovernmental Working Group of Experts on the Right to Development, the Committee on Economic, Social and Cultural Rights, the specialized agencies and other entities of the United Nations system;

2. Requests the Office of the United Nations High Commissioner for Human Rights to send invitations to the Social Forum, specifying the dates and including a draft provisional agenda, to:

(a) Members of the Commission on Human Rights and interested observer Governments;

(b) Concerned United Nations bodies, including the United Nations Development Programme and the United Nations Children's Fund, specialized agencies, in particular the World Bank, the International Monetary Fund, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Industrial Development Organization, and other bodies concerned with the promotion and protection of economic, social and cultural rights;

(c) International, regional and national organizations or workers, salaried staff, professionals and employers' organizations and associations;

(d) Non-governmental organizations in consultative status with the Economic and Social Council, international development and cooperation agencies without consultative status but which would be offered a special accreditation procedure for the purpose of the Forum; special invitations must be sent to development and other non-profit institutions in developed countries working in the field in developing countries;

(e) International banks, transnational corporations and other international enterprises which wish to accept the special accreditation procedure and to follow the discussion on economic, social and cultural rights at the Forum;

3. Also requests the Office of the High Commissioner to send a special invitation to the Chairman of the Committee on Economic, Social and Cultural Rights and the Chairman of the Intergovernmental Working Group of Experts on the Right to Development, each of whom should be requested to submit a report to the Forum;

4. Further requests the Office of the High Commissioner for Human Rights to arrange for the Social Forum to be held for a suitable

period, for example two or three days, for its programme to be announced in advance and included in the programme of the Sub-Commission, and for special advertising of this event;

5. Decides that the Social Forum may request the Sub-Commission to name a Special Rapporteur on economic, social and cultural rights, with the task of maintaining the relationship between the Forum and the Sub-Commission and to coordinate the issues relevant to the holding of and participation at this annual meeting;

6. Authorizes the High Commissioner to publish in a joint publication, in the official languages of the United Nations, the preparatory document on the relationship between the enjoyment of human rights and income distribution (E/CN.4/Sub.2/1994/21) submitted to the Sub-Commission by Mr. Asbjørn Eide, and the study by Mr. José Bengoa, Special Rapporteur of the Sub-Commission on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution (E/CN.4/Sub.2/1995/14, E/CN.4/Sub.2/1996/14, E/CN.4/Sub.2/1997/9 and E/CN.4/Sub.2/1998/8)."
