



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/Sub.2/1999/L.22
16 August 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion and
Protection of Human Rights
Fifty-first session
Agenda item 4 (a)

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

THE INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS

Mr. Eide, Mr. Fan Guoxiang, Mr. Fix-Zamudio, Mr. Diaz-Uribe,
Mr. Goonesekere, Mr. Khalil, Ms. Motoc, Mr. Oloka-Onyango
and Mr. Park: draft resolution

1999/... Trade liberalization

The Sub-Commission on the Promotion and Protection of Human Rights,
Reaffirming that, as declared in article 28 of the Universal Declaration
of Human Rights, everyone is entitled to a social and economic order in which
the rights and freedoms set forth in the Universal Declaration can be fully
realized,

Stressing that the progressive realization of the rights enshrined in
the International Covenant on Economic, Social and Cultural Rights is a
binding obligation upon States parties,

Recalling the Declaration on the Right to Development, which recognizes that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and a duty to cooperate with each other in ensuring development and eliminating obstacles to development,

Considering that the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other major human rights instruments contain obligations and goals which are fundamental to the development process and to economic policy,

Recalling that the Vienna Declaration and Programme of Action confirmed that the promotion and protection of human rights and fundamental freedoms is the first responsibility of Governments and that the human person is the central subject of development, and that the Copenhagen Declaration and Programme of Action confirmed that social development and social justice cannot be attained in the absence of respect for all human rights and fundamental freedoms,

Recalling also its resolutions 1998/18 and 1998/12, and noting Commission on Human Rights resolution 1999/59,

Noting that the negotiations on the draft Multilateral Agreement on Investment have ceased at the Organisation for Economic Cooperation and Development but aware of proposals for provisions similar to those of the Multilateral Agreement on Investment to be incorporated in future agreements of the World Trade Organization and in the review of the Articles of Agreement of the International Monetary Fund,

Convinced of the necessity of fully integrating human rights principles in the processes of economic policy formulation,

Conscious of the World Trade Organization Ministerial Conference scheduled to take place in Seattle, United States of America, in November/December 1999,

Emphasizing that the human rights implications of key aspects of the current agenda of the World Trade Organization, including further liberalization in the areas of agriculture and services, and especially the

possible inclusion of health and education services, of the proposed expansion of the agenda in the areas of investment and/or competition policy, and of the operation of the Agreement on Trade-Related Aspects of Intellectual Property Rights should be carefully examined,

1. Requests all Governments and economic policy forums to refrain from perpetuating the current dissociation between international economic policy formulation and international human rights law and policy, and to take international human rights obligations and principles fully into account in international economic policy formulation;

2. Declares that sanctions and negative conditionality are not appropriate ways of promoting the integration of human rights in international economic policy and practice, but rather that human rights obligations and principles must be fully addressed in the process of international economic policy formulation;

3. Calls upon Governments and international economic policy forums, including the World Trade Organization, to undertake comprehensive and systematic studies, in consultation with United Nations and regional human rights mechanisms and relevant civil society organizations, of the human rights and social impacts of economic liberalization programmes, policies and laws;

4. Calls for such human rights impact studies to be completed prior to the commencement of further economic liberalization negotiations, such as those envisaged at the World Trade Organization;

5. Requests the United Nations High Commissioner for Human Rights to intensify efforts at dialogue with the World Trade Organization and its member States on the human rights dimensions of trade and investment liberalization, and to take steps to ensure that human rights principles and obligations are fully integrated in future negotiations in the World Trade Organization;

6. Requests the United Nations Conference on Trade and Development to include in its programme of work, especially in the context of the preparation for the Tenth Session of the United Nations Conference on Trade and Development on "Development strategies in an increasingly interdependent world: applying the lessons of the past to make globalization an effective

instrument for the development of all countries and all people", a specific focus on ways and means to incorporate human rights principles in the process of international trade policy formulation;

7. Encourages civil society organizations to promote with their respective Governments the need for economic policy processes fully to incorporate and respect existing human rights obligations, and to continue to monitor and publicize the effects of economic policy that fail to take such obligations into account.
