



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/2001/L.33  
12 April 2001

Original: ENGLISH

---

COMMISSION ON HUMAN RIGHTS  
Fifty-seventh session  
Agenda item 10

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Algeria, Angola\*, Bangladesh\*, Burundi, Cameroon, China, Congo\*, Côte d'Ivoire\*, Cuba, Democratic Republic of the Congo, Democratic People's Republic of Korea\*, Dominican Republic\*, Ecuador, Egypt\*, Equatorial Guinea\*, Ethiopia\*, Ghana\*, Haiti\*, Indonesia, Iraq\*, Lao People's Democratic Republic\*, Madagascar, Mauritania\*, Nigeria, Pakistan, Philippines\*, Rwanda\*, Senegal, Sudan\*, Swaziland, Syrian Arab Republic, Togo\*, Tunisia\*, Uganda\*, United Republic of Tanzania\*, Uruguay, Viet Nam, Yemen\*, Zambia: draft resolution**

**2001/... Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights**

*The Commission on Human Rights,*

*Recalling* that the purpose of the Universal Declaration of Human Rights is the full promotion and protection of human rights and fundamental freedoms,

---

\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

*Reaffirming* the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, and the resolutions and decisions adopted by the United Nations in connection with the problem of the foreign debt of the developing countries, particularly Commission resolution 2000/82 of 26 April 2000,

*Deeply convinced* of the need to create a new spirit of international cooperation based on the principle of achieving shared benefits, but also based on common but differentiated responsibilities, between the developing and industrialized countries,

*Bearing in mind* that the absolute amounts attained by the foreign debt and debt service of the developing nations indicate the persistent seriousness of this situation, that the episodes of financial crisis in Asia and other regions have caused this situation to deteriorate further and that the foreign debt burden is becoming increasingly unbearable for a considerable number of developing countries,

*Aware* that the serious problem of the foreign debt burden remains one of the most critical factors adversely affecting economic, social, scientific and technical development and living standards in many developing countries, with serious effects of a social nature,

*Stressing* that the benefits of globalization are very unevenly shared while its costs are unevenly distributed, and that it creates new challenges, risks and uncertainties for the implementation and consolidation of development strategies,

*Expressing its concern* that, despite repeated rescheduling of debt, developing countries continue to pay out more each year than the actual amount they receive in official development assistance,

*Acknowledging* that, in spite of the fact that debt reduction schemes have helped to reduce debt, many highly indebted poor countries are still left with the bulk of their debt,

*Considering* that the measures for alleviating the debt problem, of both official and private origin, have not achieved an effective, equitable, development-oriented and durable solution to the outstanding debt and debt service of a large number of developing countries, especially the poorest and heavily indebted countries,

*Bearing in mind* the relationship between the heavy foreign debt burden and the considerable increase in poverty which is apparent at the global level and is especially large in Africa,

*Recognizing* that foreign debt constitutes one of the main obstacles preventing the developing countries from fully enjoying their right to development,

1. *Welcomes* the report submitted by the independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, to the Commission on Human Rights at its fifty-seventh session (E/CN.4/2001/56), commends the independent expert for his valuable work and encourages him to continue studying these issues further;

2. *Stresses* that structural adjustment policies have serious implications for the ability of the developing countries to abide by the Declaration on the Right to Development and to formulate national development policies that aim to improve the economic, social and cultural rights of their citizens;

3. *Notes with concern* the persistence of the external debt problem, that the vicious cycle of debt and underdevelopment has become further entrenched, that debt service has grown at a much greater rate than the debt itself and that the burden of payments has become heavier in many developing countries, including those with low and middle incomes, despite repeated rescheduling, and that the current debt and poverty reduction and growth initiatives lack sufficient funding and have several conditions attached;

4. *Recalls* the pledge, contained in the Political Declaration adopted by the General Assembly at its twenty-fourth special session (resolution S-24/2, of 1 July 2000, annex, chap. I) to find effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing burdens of developing countries;

5. *Reiterates* that the permanent solution to the foreign debt problem lies in the establishment of a just and equitable international economic order based, *inter alia*, in open, equitable, secure, non-discriminatory, predictable, transparent and multilateral rule-based international financial and trading systems, which guarantees the developing countries, *inter alia*, better market conditions and commodity prices, stabilization of exchange rates and interest rates, easier access to financial and capital markets, adequate flows of new financial resources and easier access to the technology of the developed countries;

6. *Stresses* the need for the economic programmes arising from foreign debt to be country-driven and for their macroeconomic and financial policy issues to be integrated, on an equal footing and a consistent way, with the realization of the broader social development goals, taking into account the specific characteristics, conditions and needs of the debtor countries;

7. *Affirms* that the exercise of the basic rights of the people of debtor countries to food, housing, clothing, employment, education, health services and a healthy environment cannot be subordinated to the implementation of structural adjustment policies, growth programmes and economic reforms arising from the debt;

8. *Emphasizes* the important need for initiatives on foreign debt, in particular in the expanded Heavily Indebted Poor Countries Initiative and the decision of the Paris Club to go beyond the Naples terms, to be extended, expedited, implemented completely and made more flexible, and at the same time notes with concern the rigidity of the eligibility criteria approved by the international creditor community in the context of those initiatives, which is becoming a source of greater concern in the light of the latest symptoms of the international financial crisis;

9. *Also emphasizes* the need for new financial flows to debtor developing countries from all sources, in addition to debt relief measures that include debt cancellation, and urges creditor countries and the international financial institutions to increase concessional financial assistance on favourable terms, as a means of supporting the implementation of the economic reforms, combating poverty and achieving sustained economic growth and sustainable development;

10. *Requests* the independent expert to present an analytical report to the Commission, on an annual basis, on the implementation of the present resolution, paying particular attention to:

(a) The effects of the foreign debt and the policies adopted to face them on the full enjoyment of all human rights, in particular, economic, social and cultural rights in developing countries;

(b) Measures taken by Governments, the private sector and international financial institutions to alleviate such effects in developing countries, especially the poorest and heavily indebted countries;

(c) New developments, actions and initiatives being taken by international financial institutions, other United Nations bodies and intergovernmental and non-governmental organizations with respect to structural adjustment policies and human rights;

11. *Also requests* the independent expert to provide an advance copy of his annual report to the open-ended working group on structural adjustment programmes and economic, social and cultural rights in order to assist the group in the fulfilment of its mandate;

12. *Requests* the Secretary-General to provide the independent expert with all necessary assistance, in particular the staff and resources required to perform his functions;
13. *Urges* Governments, international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the independent expert in the discharge of his mandate;
14. *Calls upon* Governments, international organizations and international financial institutions, as well as non-governmental organizations and the private sector, to take appropriate measures and action for the implementation of the commitments, agreements and decisions of the major United Nations conferences and summits organized since the beginning of the 1990s on developments related to the question of external debt;
15. *Also calls upon* Governments, international financial institutions and the private sector to consider the possibility of cancelling or reducing significantly the debt of the heavily indebted poor countries, giving priority to countries emerging from devastating civil wars or that have been devastated by natural disasters;
16. *Urges* States, international financial institutions and the private sector to take urgent measures to alleviate the debt problem of those developing countries particularly affected by the human immunodeficiency virus/acquired immune deficiency syndrome, so that more financial resources can be released and used for health care, research and treatment of the population in the affected countries;
17. *Recognizes* that there is a need for more transparency, participation by all States and consideration of the relevant resolutions of the Commission in the deliberations and activities of international and regional financial institutions;
18. *Reiterates* its view that, in order to find a durable solution to the debt problem, there is a need for a political dialogue between creditor and debtor countries and the multilateral financial institutions, within the United Nations system, based on the principle of shared interests and responsibilities;
19. *Requests* the Economic and Social Council to authorize the open-ended working group on structural adjustment programmes and economic, social and cultural rights to meet for two weeks well in advance of, and at least four weeks prior to, the fifty-eighth session of the Commission with the mandate to: (a) continue working on the elaboration of basic policy

guidelines on structural adjustment programmes and economic, social and cultural rights which could serve as a basis for a continued dialogue between human rights bodies and international financial institutions, and (b) report to the Commission at its fifty-eighth session;

20. *Reiterates its request* to the United Nations High Commissioner for Human Rights to pay particular attention to the problem of the debt burden of developing countries, in particular of the least developed countries, and especially the social impact of the measures arising from the foreign debt;

21. *Requests* the High Commissioner to take urgent action to strengthen the responsiveness of her Office in the area of economic, social and cultural rights;

22. *Decides* to continue the consideration of this matter at its fifty-eighth session under the same agenda item.

-----