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COMMISSION ON HUMAN RIGHTS  
Sixtieth session  
Agenda item 10

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**China (on behalf of the States members of the Like-Minded  
Group), Ecuador\*, Kenya\*, Saudi Arabia, South Africa,  
Thailand\*: draft resolution**

**2004/... Globalization and its impact on the full enjoyment of all human rights**

*The Commission on Human Rights,*

*Guided by the purposes and principles of the Charter of the United Nations, and  
expressing in particular the need to achieve international cooperation in promoting and  
encouraging respect for human rights and fundamental freedoms for all without distinction,*

*Reaffirming its resolutions 1999/59 of 28 April 1999, 2001/32 of 23 April 2001, 2002/28  
of 22 April 2002 and 2003/23 of 22 April 2003 and General Assembly resolutions 55/102 of  
4 December 2000, 56/165 of 19 December 2001, 57/205 of 18 December 2002 and 58/193  
of 22 December 2003,*

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

*Affirming* that, while globalization offers great opportunities, at present its benefits are very unevenly shared and costs are unevenly distributed, and that developing countries face special difficulties in meeting this challenge,

*Underlining* that the deep fault line between the rich and the poor that divides human society and the ever-increasing gap between the developed and developing countries pose a major threat to global prosperity, security and stability,

*Reaffirming* the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

*Recognizing* that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equality, participation, accountability, non-discrimination, at both the national and international levels, respect for diversity, tolerance and international cooperation and solidarity,

*Affirming* in this regard that multilateral institutions have a unique role to play in meeting the challenges and opportunities presented by globalization and also affirming the need for these institutions to recognize, respect and protect all human rights,

*Expressing concern* about the setback at the Fifth Ministerial Conference of the World Trade Organization held in Cancún, Mexico, in September 2003 and stressing the importance of redoubling efforts in working towards a successful and development-oriented conclusion of the negotiations of the Fourth Ministerial Conference, held in Doha in November 2001, as set out in the Doha Declaration,

*Recalling* the Monterrey Consensus (A/CONF.198/11, chap. I) adopted by the International Conference on Financing for Development, held in Monterrey, Mexico, in March 2002 and the Johannesburg Declaration on Sustainable Development (A/CONF.199/20 and Corr.1, chap. I, resolution 1, annex) adopted by the World Summit on Sustainable Development in September 2002, and taking note of the Declaration of Principles and the Plan of Action adopted at the first phase of the World Summit on the Information Society in December 2003,

*Taking note* of the recent report entitled *A Fair Globalization - Creating Opportunities for All* of the World Commission on the Social Dimensions of Globalization established by the International Labour Organization in February 2002 and emphasizing the need to operationalize the recommendations contained in the report aimed at full enjoyment of human rights,

*Taking note with appreciation* of the positive outcome of the high-level seminar on the right to development entitled “Global partnership for development” organized by the Office of the United Nations High Commissioner for Human Rights in Geneva on 8 and 9 February 2003 within the framework of the Working Group on the Right to Development,

*Welcoming* the recommendation made by the Working Group on the Right to Development at its fifth session to establish, within its framework, a high-level task force with the objective of assisting the Working Group to fulfil its mandate as contained in paragraph 10 (a) of Commission resolution 1998/72 of 22 April 1998,

*Underlining* the focus on globalization in the future work of the Sub-Commission on the Promotion and Protection of Human Rights, as reflected in the report of the Chairperson of the fifty-fourth session of the Sub-Commission (E/CN.4/2003/94), and requesting the Sub-Commission to intensify further its work in this area,

*Deeply concerned* at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, which adversely affects the full enjoyment of human rights, particularly in the developing countries,

*Underlining* the shared responsibility to assist countries and peoples excluded from or disadvantaged by globalization,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that, in addition to States' separate responsibilities to their individual societies, they have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level as an essential element in the construction and shaping of an ethical foundation for globalization;

3. *Also reaffirms* the commitment to create an enabling environment at both the national and international levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency and accountability in the financial, monetary and trading systems, including in the private sector and transnational corporations, and the commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system to ensure that there is greater complementarity between the basic tenets of international trade law and international human rights law;

4. *Further reaffirms* that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political developments in which all human rights and fundamental freedoms can be fully realized;

5. *Recognizes* that implementation of the Millennium Declaration and attainment of international development goals as identified at United Nations and world conferences, and of the Millennium Development Goals will contribute to the progressive realization of the right to development;

6. *Takes note with appreciation* of the analytical study of the United Nations High Commissioner for Human Rights on the fundamental principle of non-discrimination in the context of globalization (E/CN.4/2004/40) as requested in paragraph 7 of Commission resolution 2002/28 of 22 April 2002 and in this regard requests the High Commissioner to bring the report to the attention of the World Trade Organization and other relevant international organizations with a view to operationalizing its conclusions and recommendations;

7. *Underlines* that, in the absence of a framework based on the fundamental principles which underpin the corpus of human rights, such as equality, participation, accountability, non-discrimination, respect for diversity, tolerance and international cooperation and solidarity, globalization will continue on its asymmetrical course;

8. *Requests*, therefore, the High Commissioner, taking fully into account the present resolution and in cooperation with the United Nations Conference on Trade and Development, the World Trade Organization and other relevant international financial and economic

institutions, to study and clarify the fundamental principle of participation and its application at the global level, with a view to recommending measures for its integration and effective implementation in the debate on the process of globalization, and to submit a comprehensive analytical study on the subject to the Commission at its sixty-first session;

9. *Underlines once again* the need for the treaty bodies, special rapporteurs/representatives, independent experts and working groups of the Commission, within their mandates and where appropriate, to take into consideration the content of the present resolution and the report of the High Commissioner entitled “Globalization and its impact on the full enjoyment of human rights” (E/CN.4/2002/54);

10. *Decides* to consider this issue again at its sixty-first session.

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