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COMMISSION ON HUMAN RIGHTS  
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**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Algeria, Angola\*, Bangladesh\*, Burundi\*, Cameroon, China, Congo\*, Côte d'Ivoire\*, Cuba, Democratic People's Republic of Korea\*, Ecuador\*, Equatorial Guinea \*, Ethiopia\*, Gabon, Haiti\*, Indonesia\*, Kenya, Lao People's Democratic Republic\*, Madagascar\*, Malaysia, Mozambique\*, Myanmar\*, Nigeria\*, Pakistan, Philippines\*, Rwanda\*, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Tanzania\*, Togo, Tunisia\*, Viet Nam, Yemen\* and Zimbabwe: draft resolution**

**2003/... 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, that every one is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration can be fully realized and that in the Millennium Declaration all States resolved to respect fully and uphold the Universal Declaration of Human Rights,

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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.

*Stressing* 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,

*Emphasizing* that the World Conference on Human Rights agreed to call upon the international community to make all efforts to help alleviate the external debt burden of developing countries in order to supplement the efforts of the Governments of such countries to attain the full realization of economic, social and cultural rights of their people,

*Stressing* the determination expressed in the Millennium Declaration to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries, through various national and international measures designed to make their debt sustainable in the long term,

*Noting with great concern* that the continuing debt and debt servicing problems of the heavily indebted poor countries constitute an element that adversely affects their sustainable development efforts,

*Acknowledging* that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries, in particular the least developed countries, is unsustainable and constitutes one of the principal obstacles to achieving progress in people-centred sustainable development and poverty eradication and that for many developing countries, as well as countries with economies in transition, excessive debt servicing has severely constrained their capacity to promote social development and provide basic services to realize economic, social and cultural rights,

*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,

*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,

1. *Takes note* of the report of the independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights (E/CN.4/2003/10) and stresses that structural adjustment

reform programmes 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;

2. *Is fully aware* that the structural adjustment reform programmes give inadequate attention to the provision of social services and that only a few countries manage to achieve sustainable higher growth under these programmes;

3. *Acknowledges* that debt indicators for the developing countries showed a slight improvement in 2001 compared to 2000, but is concerned because many countries, particularly in sub-Saharan Africa, still carry very high external debt burdens relative to their gross national product;

4. *Also acknowledges* that a number of creditor countries are offering debt relief on a bilateral basis in addition to the debt relief extended in the framework of the Paris Club and have continued to write off official debt of several low-income countries, partly on a scale beyond the commitments made within the framework of the Heavily Indebted Poor Countries Initiative, although much progress remains to be made towards the achievement of a lasting solution to the debt problems of developing countries, in particular the least developed countries, and in several low- and middle-income countries unsustainable levels of external debt continue to create a considerable barrier to economic and social development and increase the risk that the millennium goals regarding development and poverty reduction will not be attained;

5. *Recognizes* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining sustainable growth and development, including poverty reduction and the achievement of the development goals set out in the Millennium Declaration, and therefore debt relief measures should, where appropriate, be pursued vigorously and expeditiously;

6. *Recalls* the call on industrialized countries, as expressed in the Millennium Declaration, to implement the enhanced programme of debt relief for the heavily indebted poor countries without further delay and to agree to cancel all official bilateral debts of those countries in return for their making demonstrable commitments to poverty reduction;

7. *Calls upon* the international community, including the United Nations system, and invites the Bretton Wood institutions, as well as the private sector, to take appropriate measures and actions for the implementation of the commitments, agreements and decisions of

the major United Nations conferences and summits, including the World Conference on Human Rights and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in particular those relating to the question of the external debt problem of developing countries, and in this regard stresses the need;

(a) To implement speedily, effectively and fully the enhanced Heavily Indebted Poor Countries Initiative, which should be fully financed through additional resources, taking into consideration, as appropriate, measures to address any fundamental changes in the economic circumstances of those developing countries that have an unsustainable debt burden caused by natural catastrophes, severe terms-of-trade shocks or conflict, taking into account initiatives which have been undertaken to reduce outstanding indebtedness;

(b) To encourage exploring innovative mechanisms to comprehensively address the debt problems of developing countries, in particular of the least developed countries and including middle-income countries and countries with economies in transition;

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

9. *Welcomes* the conclusion of the statement on poverty and the International Covenant on Economic, Social and Cultural Rights, adopted by the Committee on Economic, Social and Cultural Rights on 4 May 2001, that some of the structural obstacles confronting developing States' anti-poverty strategies lie beyond their control in the contemporary international order and that it is imperative that measures be taken urgently to remove these global structural obstacles, such as unsustainable foreign debt, the widening gap between rich and poor, and the absence of an equitable multilateral trade, investment and financial system; otherwise, the national anti-poverty strategies of some States have limited chance of sustainable success;

10. *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 in 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;

11. *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;
12. *Decides* to renew the mandate of the independent expert for three years and requests him to submit an analytical report to the Commission, on an annual basis, on the implementation of the present resolution, paying particular attention to the effects of the burden of foreign debt and the policies adopted to face them on the capacity of the Governments of developing countries to adopt policies and programmes for the enjoyment of economic, social and cultural rights, as well as to recommend measures and actions that could be taken to alleviate such effects, especially in the poorest and heavily indebted countries;
13. *Requests* the Secretary-General to provide the independent expert with all necessary assistance, in particular the staff and resources required to carry out his functions;
14. *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;
15. *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 immunodeficiency syndrome (HIV/AIDS), so that more financial resources can be released and used for health care, research and treatment of the population in the affected countries;
16. *Stresses*, in the consideration of any new debt resolution mechanism, the importance of broad discussion in the appropriate forums, with the participation of all interested actors;
17. *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;
18. *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;

19. *Decides* to continue the consideration of this matter at its sixtieth session under the same agenda item.

20. *Recommends* the following decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights resolution 2003/... of ... April 2003, approves the Commission’s decision to renew the mandate of the independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights, for three years and requests him to submit an analytical report to the Commission on an annual basis on the implementation of resolution 2003/..., paying particular attention to the effects of the burden of foreign debt and the policies adopted to face them on the capacity of the Governments of developing countries to adopt policies and programmes for the enjoyment of economic, social and cultural rights, as well as to recommend measures and actions that could be taken to alleviate such effects, especially in the poorest and heavily indebted countries. The Council also approves the Commission’s request to the Secretary-General to provide the independent expert with all necessary assistance, in particular the staff and resources required to carry out his functions.”

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