

human rights treaty bodies, as appropriate, to include consideration of the human rights impacts of international and regional trade, investment and financial measures in their state reporting procedures.

In the decision it adopted (1998/104) the Sub-Commission decided to have a working paper prepared on the topic of globalization in the context of the increase in incidents of racism, racial discrimination, and xenophobia to be considered at its 1999 session. The working paper is to serve a contribution to the preparation of the World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance.

Statement by the Committee on Economic, Social and Cultural Rights (CESCR) on Globalization

At its May 1998 session, the CESCR held a day of general discussion on the theme "Globalization and its impact on the enjoyment of economic and social rights". On the basis of that discussion, the Committee adopted a statement in which a number of points are set out. The Committee noted that globalization is a phenomenon that has caused fundamental changes within every society, and that globalization is usually defined primarily by reference to developments in technology, communications, and information processing that have made the world smaller and more interdependent. It has also come to be closely associated with a variety of specific trends and policies including: an increasing reliance upon the free market; a significant growth in the influence of international financial markets and institutions in determining the viability of national policy priorities; a diminution in the role of the state and the size of its budget; the privatization of various functions previously considered to be the exclusive domain of the state; the deregulation of a range of activities with a view to facilitating investment and rewarding individual initiative; and a corresponding increase in the role and even responsibilities attributed to private actors, both in the corporate sector, in particular to the transnational corporations, and in civil society.

The Committee stated that no single one of these developments, on its own, is necessarily incompatible with the principles of the International Covenant on Economic, Social and Cultural Rights (ICESCR) or with the obligations of governments under the ICESCR. Taken together, however, the developments which constitute globalization risk downgrading the central place accorded to human rights by the UN Charter and the International Bill of Human Rights, unless they are complemented by appropriate additional policies. This was seen especially to be the case in relation to economic, social and cultural rights. Specific rights seen to be at risk or under threat included the right to work and just and favourable conditions of work, the right to form and join trade unions, and the right to social security. The Committee also stated that, if not supplemented by necessary safeguards, the introduction of user fees or cost recovery policies, when applied to basic health and educational services for the

poor, can easily result in significantly reduced access to services which are essential for the enjoyment of the rights recognized in the ICESCR. Reference is also made to the fact that an insistence upon higher and higher levels of payment for access to artistic, cultural and heritage-related activities risks undermining the right to participate in cultural life for a significant proportion of any community.

The Committee expressed concern that while much energy and many resources have been expended by governments on promoting the trends and policies that are associated with globalization, insufficient efforts are being made to devise new or complementary approaches which could enhance the compatibility of those trends and policies with full respect for economic, social and cultural rights. The Committee stated that competitiveness, efficiency and economic rationalism must not be permitted to become the primary or exclusive criteria against which governmental and inter-governmental policies are evaluated.

In its statement, the Committee called for a renewed commitment to respect economic, social and cultural rights and emphasized that international organizations, as well as the governments that have created and manage them, have a strong and continuous responsibility to take whatever measures they can to assist governments to act in ways which are compatible with their human rights obligations and to seek to devise policies and programmes which promote respect for those rights. The statement emphasized that the realms of trade, finance and investment are in no way exempt from these general principles and that the international organizations with specific responsibilities in those areas should play a positive and constructive role in relation to human rights.

The Committee, *inter alia*: welcomed the increasing importance being accorded to human rights in the activities of the United Nations Development Programme (UNDP), noting the need for an appropriate emphasis to be given to economic, social and cultural rights; welcomed the initiatives taken by the Secretary-General of the UN Conference on Trade and Development (UNCTAD) to explore more fully the linkages between UNCTAD's principal concerns and respect for the full range of human rights; called upon the International Monetary Fund (IMF) and the World Bank to pay enhanced attention in their activities to respect for economic, social and cultural rights, including through encouraging explicit recognition of these rights, assisting in the identification of country-specific benchmarks to facilitate their promotion, and facilitating the development of appropriate remedies for responding to violations; stated that social safety nets should be defined by reference to these rights and enhanced attention should be accorded to such methods to protect the poor and vulnerable in the context of structural adjustment programs; stated that effective social monitoring should be an integral part of the enhanced financial surveillance and monitoring policies accompanying loans and credits for adjustment purposes; called upon the World Trade Organization (WTO) to devise appropriate methods to