

provide substantive replies on cases referred to them; urged governments to cooperate fully with the WG, to protect families of disappeared persons, and to invite the Group to make an in-country visit; urged governments with unresolved cases arising from previous practices and regimes to continue efforts to clarify outstanding cases; reminded governments of the need to conduct impartial inquiries, within a reasonable time period, into all alleged cases of disappearance; reminded governments of their duty to prosecute perpetrators of disappearances; invited states to take legislative, administrative, legal and other steps to implement the Declaration; noted the activities of NGOs in support of implementation of the Declaration; and, requested the Secretary-General to take further steps to ensure wide dissemination of the Declaration.

Renewal of the mandate of the Working Group for a further three years will be decided at the 1998 session of the Commission.

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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Open-Ended Working Group on structural adjustment programmes: (E/CN.4/1997/20)

At its 1996 session, the Commission decided to establish an open-ended Working Group (WG) with a mandate to elaborate policy guidelines on structural adjustment programmes (Decision 1996,103). The WG met for one week prior to the 1997 session of the Commission. In addition to representatives of 27 governments, those who attended included representatives of the International Labour Organization, the International Monetary Fund, the World Bank, and nine non-governmental organizations.

The report of the meeting identified key considerations in the IMF/World Bank approach to structural adjustment which included, *inter alia*: a firm anti-inflationary monetary policy; a sustainable fiscal strategy; a realistic exchange rate; appropriate structural policies that provide a market-friendly environment for growth; a development strategy focussed on growth and suited to a country's resources and needs; a liberal trade and exchange regime that fosters international trade and investment; sound and active social policies, including well-targeted social safety nets to alleviate poverty and protect the most vulnerable from any short-term negative impact of adjustment and reform; policies that promote greater equality of opportunity; and good governance-related to the need for publicly accountable government, participatory government and transparent legal and regulatory frameworks that are fair and limited to what is strictly necessary.

Acknowledging that the central goal of the World Bank is the eradication of poverty, the report summarized questions that arose, including those related to: the need for balance between the right to development and structural adjustment programmes; the impact of conditionalities on national sovereignty and the ability of states to make independent policy decisions; the conflict of interest between government constituencies, composed of electors, and the World Bank, composed of shareholders; the impact of debt servicing on available resources for education and other social services;

the impact of cuts in social spending and labour market flexibility on access to jobs; excessive interest rates; the growing imbalance between private and public investment; future World Bank policies to channel international financial flows from speculation to social development; the conflict between World Bank understanding of good governance (e.g., advocacy of judicial reforms aimed at privatization and free markets) and concerns of human rights bodies aimed at protecting human rights; the World Bank approach to poverty alleviation; and use of social indicators.

Annex I of the WG's report contains principles and policy guidelines, some of which were discussed at the meeting and some of which were presented for future discussion. Among the principles raised were that: it is the responsibility of all states to promote economic, social and cultural development; every government has the primary role and ultimate responsibility of ensuring the social progress and well-being of its people; all human rights and fundamental freedoms are indivisible, interdependent and should receive equal attention; the human person is the central subject of development and should be the active participant and beneficiary of the right to development; structural adjustment programmes should contribute to modernization, diversification and growth of economies in developing countries, while aimed at improving the standard of living, quality of life, health, education and employment of all people; negotiations between governments and international financial institutions (IFIs) on structural adjustment programmes should include consideration of human rights dimensions and aspects; the IFIs should adopt a more flexible approach in negotiations on borrowing conditions to take into account social indicators at both the national and regional levels; regarding privatization, emphasis should be given to creation of a private sector; structural adjustment policies must be consistent with article 28 of the Universal Declaration, entitling everyone to a social and international order in which the rights and freedoms set out in the UDHR can be fully realized; the policies of the World Bank and IMF must be brought into line with international human rights standards; the World Bank and IMF must be democratized and made subject to monitoring and guidance by ECOSOC and the General Assembly; legislative and regulatory frameworks should be established to ensure effective participation of all elements of society through the development process; states should simplify administrative regulations, disseminate information about public policy issues and facilitate maximum access to information; states should ensure greater transparency in negotiations and agreements between themselves; states should adjust policies and programmes to promote a more equitable distribution of productive assets, wealth, opportunities, income and services; states should ensure equal access to services and resources in the areas of education, health, food, housing, employment and distribution of income; states should safeguard and promote respect for basic workers' rights, prohibit forced labour and child labour, ensure equal pay for work of equal value and non-discrimination in employment; and states should promote reforms aimed at elimination of discrimination and exploitation and achievement of high rates of growth and social progress.

The annex to the report also contained commentary on conditionality, external pressure or intervention in the internal