

services and a healthy environment — cannot be subordinated to the implementation of structural adjustment policies and economic reforms arising from foreign debt; emphasized the need for new flows of financial resources to indebted developing countries; recognized the need for more transparency in the activities of international financial institutions; considered that there is a need for a political dialogue between creditor and debtor countries within the UN system; established a three-year mandate for a special rapporteur to address the question of the effects of foreign debt on the full enjoyment of economic, social and cultural rights.

The mandate of the Special Rapporteur has two components, namely to present an analytical report to the Commission each year, focussing on:

1. the negative effects of foreign debt, and the policies adopted to face it, on the full enjoyment of economic, social and cultural rights in developing countries; and
2. 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.

Decision on the effects of structural adjustment policies on the full enjoyment of human rights

The decision (1998/102) was adopted by roll call vote with 36 in favour, 14 opposed, 3 abstentions. The text relates to the fact that the Independent Expert, who was appointed to assist the Working Group on structural adjustment programmes and policies, was not able to complete his report in time for the Group to consider it at its second session. The Commission, *inter alia*: authorized the Working Group to meet for one week, at least four weeks before the 1999 session of the Commission; requested the Independent Expert to submit the report for circulation and comment as previously mandated; requested the Secretary-General to circulate the study by the Independent Expert to governments, UN bodies, intergovernmental and non-governmental organizations as well as academic institutions and organizations representing disadvantaged and vulnerable groups, and invite them to submit their comments to the Working Group at its next session; and requested the Secretary-General to invite and encourage non-governmental organizations involved in development and working in the field to participate actively in the Working Group's sessions.

Resolution of the General Assembly

At the 1998 session, the General Assembly adopted by consensus a resolution on human rights and extreme poverty (A/C.3/53/L.40). The GA, *inter alia*: recognized that eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies; welcomed the appointment, for a period of two years, of an independent expert on the question of human rights and extreme poverty; reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is required to

eliminate them; also reaffirmed that it is essential for states to foster participation by the poorest people in the decision-making process in the communities in which they live, in the promotion of human rights and in efforts to combat extreme poverty; recognized that surmounting extreme poverty constitutes an essential means to the full enjoyment of political, civil, economic, social and cultural rights and reaffirms the interrelationship among these goals; noted the action taken by UNICEF to mitigate the effects of extreme poverty on children and the efforts of the UNDP to give priority to the search for some means of alleviating poverty; and invited states, UN bodies and others to give appropriate attention to the links between human rights and extreme poverty.

General Comment 10 on the role of national human rights institutions in the protection of economic, social and cultural rights

In December 1998 the Committee adopted General Comment 10 on the role of national human rights institutions in the protection of economic, social and cultural rights (E/C.12/1998/25). The Committee addressed the issue of the progressive and full realization of the ICESCR rights and noted that one means through which important steps can be taken is the work of national institutions for the promotion and protection of human rights. General Comment 10 states that it is essential for full attention to be given economic, social and cultural rights in all of the relevant activities of these institutions. Such activities were identified as including, *inter alia*:

- ♦ the promotion of educational and informational programmes designed to enhance awareness and understanding of economic, social and cultural rights both within the population at large and among particular groups such as the public service, the judiciary, the private sector and the labour movement;
- ♦ the scrutinizing of existing laws and administrative acts, as well as draft bills and other proposals, to ensure that they are consistent with the requirements of the ICESCR;
- ♦ provision of technical advice, or by undertaking surveys in relation to economic, social and cultural rights, including when requested by the public authorities or other appropriate agencies;
- ♦ the identification of benchmarks at the national level against which the realization of ICESCR obligations can be measured;
- ♦ conducting research and inquiries designed to ascertain the extent to which particular economic, social and cultural rights are being realised, either within the country as a whole or in areas or in relation to communities that are particularly vulnerable;
- ♦ monitoring compliance with specific rights and providing reports to the public authorities and civil society; and