

**UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS**

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Liberalization of trade in services, and human rights

Sub-Commission on Human Rights resolution 2001/4

The Sub-Commission on the Promotion and Protection of Human Rights,

Affirming the fundamental importance of the delivery of basic services, particularly in the areas of health and education, as a means of promoting the realization of human rights,

Emphasizing the responsibility of Governments to ensure the realization of all human rights, including those to which the provision of such basic services is relevant,

Recognizing the potential human rights implications of liberalization of trade in services, including under the framework of the General Agreement on Trade in Services (GATS),

Acknowledging and emphasizing the entitlement of Governments to regulate to achieve legitimate policy objectives such as to ensure the availability, accessibility, acceptability and quality of basic services such as medical services, education services and other necessary social services,

Noting that in its General Comment 14 the Committee on Economic, Social and Cultural Rights defined the accessibility of a service as having four dimensions: non-discrimination, physical accessibility, economic accessibility and information accessibility,

1. *Calls upon* Governments and international economic policy forums actively to ensure that, in the formulation, interpretation and implementation of policies in relation to the liberalization of trade in services, the liberalization of trade in services does not negatively impact on the enjoyment of human rights by all persons without discrimination;

2. *Requests* the United Nations High Commissioner for Human Rights to submit a report on the human rights implications of liberalization of trade in services, particularly in the framework of the General Agreement on Trade in Services (GATS), to the Sub-Commission at its fifty-fourth session;

3. *Encourages* other relevant United Nations agencies, in particular the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, to undertake analyses, within their respective competencies, of the implementation of GATS on the provision of basic services such as health and education services;

4. *Recommends*, through the High Commissioner for Human Rights, that the World Trade Organization and its Council for Trade in Services, in conducting its assessments of the impact of GATS in its current and future forms, include consideration of the human rights implications of the international trade in basic services (such as, *inter alia*, the provision of affordable and accessible health and education services) and the further liberalization thereof;

5. *Also recommends*, through the High Commissioner for Human Rights, that the World Trade Organization take into account in assessments of the implementation of GATS the report to be prepared by the United Nations High Commissioner for Human Rights and any analyses prepared by other United Nations agencies;

6. *Encourages* the United Nations High Commissioner for Human Rights and other relevant United Nations agencies that have not already done so to request observer status with the Council for Trade in Services of the World Trade Organization;

7. *Decides* to continue its consideration of this matter under the same agenda item at its fifty-fourth session.

25th meeting

15 August 2001

[Adopted without a vote. See chap. VI.]

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