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Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil
political, economic, social and cultural rights,
including the right to development**

**Belarus^{*}, Bolivia (Plurinational State of)^{*}, Cuba, Ecuador, Nicaragua^{*}, Sri Lanka^{*},
Venezuela (Bolivarian Republic of)^{*}, Viet Nam^{*}: draft resolution**

16/... Mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

The Human Rights Council,

Reaffirming all previous resolutions and decisions adopted by the Commission on Human Rights in connection with the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, including resolutions 1998/24 of 17 April 1998, 1999/22 of 23 April 1999, 2000/82 of 26 April 2000, 2004/18 of 16 April 2004 and 2005/19 of 14 April 2005, as well as Human Rights Council decision 2/109 of 27 November 2006 and Council resolutions 7/4 of 27 March 2008, 11/5 of 17 June 2009, and 14/4 of 17 June 2010,

Recalling its resolutions 5/1, entitled “Institution-building of the United Nations Human Rights Council”, and 5/2, entitled “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council”, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with these resolutions and the annexes thereto,

Noting that, despite the efforts made, the effects of the debt problem are not over and that heavy debt burdens continue to contribute to extreme poverty and to undermine the capacity of Governments, particularly in developing countries, to create the conditions necessary for the achievement of sustainable human development and the realization of human rights,

Emphasizing that the World Conference on Human Rights agreed to call upon the international community to make all efforts to help to alleviate the external debt burden of low- and middle-income developing countries in order to supplement the efforts of the

^{*} Non-Member State of the Human Rights Council.

Governments of such countries to attain the full realization of the economic, social and cultural rights of their people,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

1. *Welcomes* the work and contributions of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;

2. *Decides* to extend the mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, for a period of three years, and requests the Independent Expert to pay particular attention to:

(a) The effects of foreign debt and the policies adopted to address them on the full enjoyment of all human rights, in particular, economic, social and cultural rights in developing countries;

(b) The impact of foreign debt and other related international financial obligations on the capacity of States to design and implement their policies and programmes, including national budgets that respond to vital requirements for the promotion of the realization of social rights;

(c) 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;

(d) New developments, actions and initiatives being taken by international financial institutions, other United Nations bodies and intergovernmental and non-governmental organizations with respect to economic reform policies and human rights;

(e) Quantification of minimum standards to support the realization of the Millennium Development Goals;

(f) Enhancement of consultations with all relevant stakeholders in the fulfilment of this mandate;

3. *Requests* the Independent Expert to explore further, in his/her analytical annual report to the Human Rights Council, the interlinkages with trade and other issues, including HIV/AIDS, when examining the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, and also to contribute, as appropriate, to the process entrusted with the follow-up to the International Conference on Financing for Development, with a view to bringing to its attention the broad scope of his/her mandate;

4. *Also requests* the Independent Expert to continue to seek the views and suggestions of States, international organizations, United Nations agencies, funds and programmes, regional economic commissions, international and regional financial institutions and non-governmental organizations on the draft general guidelines with a view to improving them, as appropriate, and to present updated draft general guidelines to the Council;

5. *Further requests* the Independent Expert to cooperate, in accordance with his/her mandate, with the Committee on Economic, Social and Cultural Rights, as well as with the Advisory Committee, special procedures, mechanisms and relevant working groups of the Council related to economic, social and cultural rights and the right to development, in his/her work towards the improvement of the above-mentioned draft general guidelines;

6. *Requests* the Secretary-General to provide the Independent Expert with all necessary assistance, in particular the staff and resources required for the effective

fulfilment of his or her mandate, including sufficient budgetary resources for the implementation of the activities envisaged in resolution 11/5, as well as to facilitate his/her participation in and contribution to the follow-up process of the International Conference on Financing for Development;

7. *Urges* States, international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the Independent Expert in the discharge of his/her mandate;

8. *Decides* to continue its consideration of this matter under the same agenda item.
