Human Rights Council
Sixteenth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council*

16/14
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 resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its sixteenth session (A/HRC/16/2), chap. I.
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 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 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 and 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 the broad scope of his/her mandate to its attention;

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 the updated guidelines to the Human Rights 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 Human Rights 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 independent expert to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

7. 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 Human Rights Council 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;

8. 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;

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

46th meeting
24 March 2011

[Adopted by a recorded vote of 29 to 13, with 4 abstentions. The voting was as follows:

In favour:
Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Cameroon, China, Cuba, Djibouti, Ecuador, Ghana, Guatemala, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay, Zambia

Against:
Belgium, France, Hungary, Japan, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:
Chile, Gabon, Mexico, Norway]