

tions 20 (XXXIV) of 8 March 1978,¹¹² 19 (XXXV) of 14 March 1979,¹¹³ 36 (XXXVI) of 12 March 1980,²⁵ 26 (XXXVII) of 10 March 1981,²⁶ 1982/39 of 11 March 1982,²⁷ 1983/52 of 10 March 1983,²⁸ 1984/24 of 8 March 1984²⁹ and 1985/50 of 14 March 1985,³⁰ as well as Economic and Social Council resolutions 1978/18 of 5 May 1978, 1978/40 of 1 August 1978, 1982/37 of 7 May 1982, 1983/39 of 27 May 1983, 1984/25 of 24 May 1984 and 1985/42 of 30 May 1985 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

Reaffirming, on the fortieth anniversary of the United Nations, that children's rights require special protection and call for continuous improvement of the situation of children all over the world, as well as their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of unsatisfactory social conditions, natural disasters, armed conflicts, exploitation, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and the United Nations in promoting the well-being of children and their development,

Convinced that an international convention on the rights of the child would make a positive contribution to ensuring the protection of children's rights and their well-being,

Welcoming the growing interest in the elaboration of an international convention on the rights of the child displayed by a great number of Member States representing all geographical regions and socio-political systems, as well as by governmental and non-governmental international organizations,

Noting with appreciation that further progress was made during the forty-first session of the Commission on Human Rights in the elaboration of a draft convention on the rights of the child,¹¹⁴

Noting the document entitled "Status of elaboration of a draft convention on the rights of the child", submitted by Poland,¹¹⁵

1. *Welcomes* Economic and Social Council resolution 1985/42, in which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the forty-second session of the Commission with a view to completing the work on a draft convention on the rights of the child;

2. *Requests* the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-second session to complete, the draft convention and to submit it, through the Economic and Social Council, to the General Assembly at its forty-first session;

3. *Invites* all Member States to offer their active contribution to the completion of the draft convention on the rights of the child at the forty-second session of the Commission on Human Rights;

4. *Requests* the Secretary-General to provide all necessary assistance to the working group in order to ensure its smooth and efficient work in the fulfilment of its important task;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Question of a convention on the rights of the child".

116th plenary meeting
13 December 1985

¹¹² See *Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34)*, chap. XXVI, sect. A.

¹¹³ *Ibid.*, 1979, *Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

40/114. Indivisibility and interdependence of economic, social, cultural, civil and political rights

The General Assembly.

Mindful of the obligations of States under the Charter of the United Nations to promote social progress and better standards of life in larger freedom and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling the Universal Declaration of Human Rights,⁶ as well as the International Covenant on Economic, Social and Cultural Rights⁷ and the International Covenant on Civil and Political Rights,⁷

Acknowledging that the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights have created new standards and obligations to which States should conform,

Recalling that 1986 marks the twentieth anniversary of the adoption of the International Covenants on Human Rights,²⁴

Also recalling the Declaration on Social Progress and Development, based on the Charter of the United Nations and solemnly proclaimed on 11 December 1969,⁸⁵

Taking note of the 1985 *Report on the World Social Situation*,⁸⁷

Reaffirming the provisions of its resolution 32/130 of 16 December 1977 that all human rights and fundamental freedoms are indivisible and interdependent and that the promotion and protection of one category of rights can never exempt or excuse States from the promotion and protection of the other rights,

Convinced that the full realization of civil and political rights is inseparably linked with the enjoyment of economic, social and cultural rights,

Convinced also that the achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic, social and political development,

Desirous of removing all obstacles to the full realization of human rights, in particular colonialism, neo-colonialism, racism, racial discrimination in all its forms, *apartheid*, foreign intervention, occupation, aggression, discrimination and domination,

Recognizing the fundamental rights of every people to exercise full sovereignty over its natural wealth and resources,

Recognizing also that the realization of the right to development could help to promote the enjoyment of economic, social and cultural rights,

Reaffirming that there is a close relationship between disarmament and development, that progress in the field of disarmament could considerably promote progress in the field of development and that resources released through disarmament measures would contribute to the economic and social development and well-being of all peoples, in particular those of the developing countries,

Recalling Commission on Human Rights resolution 1985/42 of 14 March 1985, in which the Commission stated that the promotion and implementation of economic, social and cultural rights and the obstacles to their realization have not received sufficient attention within the framework of United Nations organs,³⁰

Requesting the Secretary-General to enhance his efforts under the programme of advisory services to States in the

¹¹⁴ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22)*, chap. XIII.

¹¹⁵ A/C.3/40/3 and Corr.1.

implementation of the International Covenants on Human Rights,

1. *Recognizes* that equal attention should be given to the implementation, promotion and protection of economic, social and cultural rights and civil and political rights;

2. *Appeals* to all States, on the occasion of the twentieth anniversary of the adoption of the International Covenants on Human Rights, to pursue policies directed to the full implementation of the rights contained therein;

3. *Requests* the Commission on Human Rights to continue its consideration of the realization of economic, social and cultural rights and to submit to the General Assembly at its forty-second session, through the Economic and Social Council, its views and recommendations on these human rights;

4. *Welcomes* the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted from 1987 on with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;

5. *Encourages* Governments to give careful consideration to nominations for membership of the Committee on Economic, Social and Cultural Rights in due recognition of the status of Committee members as experts with recognized competence in the field of human rights, serving in their personal capacity;

6. *Urges* the Secretary-General to take determined steps, within existing resources, to give publicity to the Committee on Economic, Social and Cultural Rights and to ensure that it receives full administrative support in order to enable it to commence its functions effectively;

7. *Decides* to convene, on 16 December 1986, during its forty-first session, a commemorative plenary meeting of the General Assembly devoted to the twentieth anniversary of the adoption of the International Covenants on Human Rights;

8. *Decides also* to discuss at its forty-first session, under the item entitled "International Covenants on Human Rights", the question of the indivisibility and interdependence of economic, social, cultural, civil and political rights.

*116th plenary meeting
13 December 1985*

40/115. International Covenants on Human Rights

The General Assembly,

Recalling its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980, 36/58 of 25 November 1981, 37/191 of 18 December 1982, 38/116 and 38/117 of 16 December 1983, and 39/136 and 39/138 of 14 December 1984,

Taking note of the report of the Secretary-General¹¹⁶ on the status of the International Covenant on Economic, Social and Cultural Rights,⁷ the International Covenant on Civil and Political Rights⁷ and the Optional Protocol to the International Covenant on Civil and Political Rights,⁷

Noting with appreciation that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,²⁴

Recognizing the important role of the Human Rights Committee in the implementation of the International

Covenant on Civil and Political Rights and the Optional Protocol thereto,

Taking into account the useful work of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights,

Bearing in mind the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

Calling attention to the twentieth anniversary, in 1986, of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

1. *Takes note with appreciation* of the report of the Human Rights Committee on its twenty-third, twenty-fourth and twenty-fifth sessions,¹¹⁷ and expresses its satisfaction with the serious and constructive manner in which the Committee is continuing to perform its functions;

2. *Expresses its appreciation* to those States parties to the International Covenant on Civil and Political Rights that have submitted their reports to the Human Rights Committee under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports as speedily as possible;

3. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

4. *Commends* those States parties to the International Covenant on Economic, Social and Cultural Rights that have submitted their reports under article 16 of the Covenant and urges States that have not yet done so to submit their reports as soon as possible;

5. *Notes with satisfaction* that the majority of States parties to the International Covenant on Civil and Political Rights, and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights, have been represented by experts for the presentation of their reports, thereby assisting the Human Rights Committee and the Economic and Social Council in their work, and hopes that all States parties to both Covenants will arrange such representation in the future;

6. *Again urges* all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

7. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

8. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocol to the International Covenant on Civil and Political Rights;

9. *Stresses* the importance of avoiding the erosion of human rights by derogation and underlines the necessity of strict observance of the agreed conditions and procedures for derogation;

10. *Recommends* to States parties that they continually review whether any reservation made in respect of the provisions of the International Covenants on Human Rights should be upheld;

¹¹⁶ A/40/605.

¹¹⁷ *Official Records of the General Assembly, Fortieth Session, Supplement No. 40 (A/40/40).*