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THIRD COMMITTEE
Agenda item 101

REPORTING OBLIGATIONS OF STATES PARTIES TO UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS

Netherlands: draft resolution

Reporting obligations of States parties to international
human rights instruments and effective functioning of
bodies established pursuant to such instruments

The General Assembly,

Recalling its resolution 42/105 of 7 December 1987, Economic and Social Council resolution 1988/42 of 27 May 1988 and Commission on Human Rights resolution 1988/31 of 8 March 1988, 1/ as well as other relevant resolutions,

Affirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter and the Universal Declaration of Human Rights, to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established pursuant to international instruments on human rights is indispensable for the proper monitoring of the implementation of such instruments, including the consideration of periodic reports of States parties,

Aware of its responsibility with respect to the proper functioning of the bodies established to monitor the implementation of human rights instruments unanimously adopted by the General Assembly,

1/ Official Records of the Economic and Social Council, 1988, Supplement No. 2 (A/1988/12), chap. II, Sect. A.

Reiterating the fundamental importance it attaches to the fulfilment of reporting obligations under international instruments on human rights,

Recognizing that the effective implementation of human rights instruments, involving periodic reporting by States parties to relevant treaty bodies as well as the efficient functioning of the treaty bodies themselves, not only enhances international accountability in relation to the protection and promotion of human rights but also provides States parties with a valuable opportunity to review policies and programmes affecting the protection and promotion of human rights and to make any appropriate adjustments,

Expressing concern about the worsening backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Recognizing the burden that coexisting reporting systems place upon Member States that are parties to various instruments as well as on the respective treaty bodies themselves and noting that such burdens will become more onerous for the United Nations and the States parties as additional instruments come into force,

Conscious that the establishment of additional treaty bodies to monitor human rights standards will present long-term problems in terms of both enhanced reporting obligations and financial implications,

Concerned that the problem of securing sufficient financial resources may increasingly hamper the proper functioning of the respective treaty bodies, as noted with concern in the recent reports of five treaty bodies,

Reaffirming the importance of providing resources for all bodies supervising the implementation of international instruments on human rights, including sufficient financial resources to ensure the effective functioning of the respective treaty bodies,

Emphasizing the need to strive for consistency in the interpretation of the body of international human rights standards,

Reaffirming the independent, expert character of the treaty bodies,

Taking note of the conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies, held at Geneva from 10 to 14 October 1988 2/,

Taking note with interest of the report by the Netherlands Human Rights and Foreign Policy Advisory Committee, 3/

2/ HRI/MC/1988/1.

3/ A/C.3/43/5, annex.

1. Urges once again States parties to international instruments on human rights with reports overdue to make every effort to present their reports as soon as possible and to take advantage of opportunities whereby such reports can be consolidated;

2. Invites States parties to international instruments on human rights to review the processes followed in the preparation of their periodic reports with a view to ensuring compliance with relevant guidelines, improving the quality of description and analysis and limiting reports to a reasonable length;

3. Invites States parties to United Nations instruments on human rights to consider at their meetings further ways of streamlining and otherwise improving reporting procedures, as well as enhancing co-ordination and information flow between the treaty bodies and with relevant United Nations organs, including the specialized agencies, and requests the Secretary-General to inform the General Assembly of any decisions of the States parties on these issues;

4. Welcomes the efforts of the treaty bodies to streamline and rationalize reporting procedures, particularly by extending the periodicity of reporting, improving the efficiency of work methods and harmonizing and simplifying reporting guidelines;

5. Requests the Secretary-General, as a matter of priority, to finalize the detailed reporting manual to assist States parties in the fulfilment of their reporting obligations and to allow each of the treaty bodies the opportunity to comment on the draft manual;

6. Requests the Secretary-General to prepare, as requested by the Committee on Economic, Social and Cultural Rights, a report showing the extent and nature of any overlapping of issues dealt with in the international human rights treaties, with a view to reducing, as appropriate, duplication in the supervisory bodies of issues raised with respect to any given State party;

7. Requests the Secretary-General to provide from official United Nations sources a compilation of statistics relevant to the consideration by the treaty bodies of the reports of States parties;

8. Requests the Secretary-General to strengthen co-ordination between the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat with reference to the implementation of human rights treaties and the servicing of treaty bodies;

9. Requests the Secretary-General to arrange, within existing resources and taking into account the priorities of the programme of advisory services, further training courses for those countries experiencing the most serious difficulties in meeting reporting obligations under international instruments on human rights;

10. Invites the specialized agencies and other United Nations bodies to assist the Secretary-General in the above-mentioned endeavours and to develop complementary training activities in this field;

11. Calls upon all States parties to fulfil immediately and in full their financial obligations under the relevant human rights instruments;

12. Requests the Secretary-General to consider possibilities for strengthening collection procedures and making them more effective, for example by introducing a new practice of calling for contributions from States parties to conventions with separate financial mechanisms at the same time as contributions to the United Nations regular budget are called for;

13. Requests the Secretary-General to convey to the Commission on Human Rights at its forty-fifty session the conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies together with any views and comments he may have thereon;

14. Requests the Commission on Human Rights, in view of its overall responsibilities in the field of human rights, to consider at its forty-fifth session, as a matter of priority the conclusions and recommendations of the meeting of chairpersons, in particular those identified as matters requiring urgent action, and to report to the General Assembly, through the Economic and Social Council, at its forty-fourth session;

15. Further requests the Secretary-General:

(a) To entrust an independent expert with the task of preparing a study on possible long-term approaches to the supervision of new instruments on human rights, taking into account the conclusions and recommendations of the meeting of chairpersons and relevant materials, to be submitted to the General Assembly at its forty-fourth session;

(b) To review the need for adequate staffing resources in regard to the various human rights treaty bodies;

16. Invites the chairpersons of the human rights treaty bodies to maintain communication and dialogue with each other on common issues and problems and decides to consider at its forty-fourth session the possibility of a further meeting of the chairpersons in 1990;

17. Decides to include in the provisional agenda of its forty-fourth session, as a separate item, the item entitled "Effective implementation of international human rights instruments".
