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COMMISSION ON HUMAN RIGHTS
Fifty-second session
Agenda item 14

EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO
UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

Australia, Canada, Denmark, Italy, Norway*, Portugal*,
Sweden*: draft resolution

1996/... Effective implementation of international instruments
on human rights, including reporting obligations under
international instruments on human rights

The Commission on Human Rights,

Recalling General Assembly resolution 50/170 of 22 December 1995 and its
own resolution 1995/92 of 8 March 1995, as well as other relevant resolutions,

Recalling also the relevant paragraphs of the Vienna Declaration and
Programme of Action,

Welcoming the call in the Beijing Declaration and Platform for Action
both for intensified efforts to integrate the equal status and the human
rights of women and girls into the mainstream of United Nations system-wide
activities and to address these issues regularly and systematically throughout
relevant bodies and mechanisms, and for the related actions to be taken by,
inter alia, the human rights treaty monitoring bodies,

* In accordance with rule 69, para. 3, of the rules of procedure of the
functional commissions of the Economic and Social Council.

Noting the recommendations proposed by the expert group on the integration of gender perspectives into United Nations human rights activities and programmes, which met at Geneva from 3 to 7 July 1995,

Reaffirming that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations 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 United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

Conscious of the importance of coordination of human rights promotion and protection activities of United Nations organs and bodies active in the field of human rights,

Noting with interest the initiatives taken by a number of treaty bodies to elaborate measures, within their mandates, with a view to preventing the occurrence, or recurrence, of serious human rights violations,

Recalling the conclusions and recommendations of the five meetings of persons chairing the human rights treaty bodies held from 1988 to 1994,

Recalling that the General Assembly, in its resolution 50/170, reaffirmed its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirmed the importance of:

(a) Ensuring the effective functioning of the periodic reporting by States parties to these instruments;

(b) Securing sufficient financial, human and information resources to overcome existing difficulties with their effective functioning;

(c) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

(d) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Bearing in mind that the High Commissioner for Human Rights has, in conformity with General Assembly resolution 48/141 of 20 December 1993, the responsibility, inter alia, to coordinate human rights promotion and protection activities throughout the United Nations system,

1. Welcomes the report of the sixth meeting of the persons chairing the human rights treaty bodies held at Geneva from 18 to 22 September 1995 (A/50/505, annex), and takes note of its conclusions and recommendations;

2. Emphasizes the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, and with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in respect of each treaty body;

(b) Calls upon the Secretary-General to make the most efficient use of existing resources and to seek the resources necessary to give the treaty bodies adequate administrative support, access to technical expertise and access to appropriate databases and on-line information services;

(c) Requests that the Secretary-General report on this question to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-third session;

3. Urges States parties to notify without delay the Secretary-General, as depositary of the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, of their acceptance of the amendments approved by the States parties and the General Assembly;

4. Welcomes the continuing efforts by the treaty bodies and the Secretary-General aimed at streamlining, rationalizing and otherwise improving reporting procedures;

5. Urges the human rights treaty bodies and the seventh meeting of the persons chairing them to continue to examine, on a priority basis, ways of reducing the duplication of reporting required under the different instruments without impairing the quality of reporting and of generally reducing the reporting burden on Member States, including through:

(a) Identifying where cross-referencing can be used in report writing;

(b) Recommending, where appropriate, the designation of specific national administrative units to coordinate reports to all treaty bodies;

(c) Establishing coordination between the treaty bodies and the International Labour Organization to identify overlap between their respective instruments and conventions;

(d) Considering the utility of single comprehensive reports and of replacing periodic reports with specifically tailored reports and thematic reports;

and to report on the above for consideration by the Commission on Human Rights;

6. Urges States parties to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining, rationalizing, avoiding duplication in and otherwise improving reporting procedures;

7. Requests the High Commissioner for Human Rights, in accordance with his mandate, to encourage the independent expert to finalize his interim report (A/CONF.157/PC/62/Add.11/Rev.1) on possible long-term approaches to enhancing the effective operation of the treaty system in time for the final report to be considered by the Commission on Human Rights at its fifty-third session, and requests the Secretary-General to give the independent expert all necessary assistance;

8. Requests the High Commissioner for Human Rights to ensure, from within existing resources, that the revised United Nations Manual on Human Rights Reporting (United Nations publication, Sales No. E.91.XIV.1) will be available in all official languages at the earliest opportunity and that due regard is paid to the recommendations concerning the Manual made by the fifth meeting of the persons chairing the human rights treaty bodies;

9. Expresses concern about the increasing backlog of reports on implementation submitted by States parties to United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies, and again urges States parties to make every effort to meet their reporting obligations;

10. Invites States parties which have been unable to comply with the requirements to submit their initial report to avail themselves of technical assistance;

11. Encourages the efforts of the human rights treaty bodies to examine the progress made in achieving the realization of human rights treaty undertakings by all States parties, without exception;

12. Urges States parties to address, as a matter of priority, at their scheduled meetings, the issue of States parties consistently not complying with their reporting obligations;

13. Also urges all States parties whose reports have been examined by treaty bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports;

14. Stresses the usefulness of technical assistance and advisory services in helping States parties to comply with their obligations pursuant to United Nations human rights instruments and further to this end:

(a) Invites the treaty bodies to continue to identify possibilities for States parties to benefit from such technical assistance and advisory services;

(b) Requests that the High Commissioner for Human Rights, in fulfilling his mandate, as set forth in General Assembly resolution 48/141, continue to provide advisory services and technical assistance at the request of the State concerned;

15. Welcomes the recommendation by the persons chairing the human rights treaty bodies that treaty bodies urge each State party to translate, publish and make available in its territory the full text of the concluding observations on their reports to the treaty monitoring bodies, and requests the High Commissioner for Human Rights to endeavour to ensure that recent reports and the summary records of committee discussions pertaining to them, as well as concluding observations and final comments of the treaty bodies, continue to be made available in the United Nations information centres in the countries submitting those reports;

16. Also welcomes the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies, and invites the specialized agencies, other United Nations bodies and the human rights treaty bodies to pursue further cooperation among themselves, bearing in mind the responsibilities of the High Commissioner for Human Rights;

17. Invites the High Commissioner for Human Rights, in accordance with his mandate, as contained in General Assembly resolution 48/141, to consult the human rights treaty bodies with regard to his efforts to promote cooperation with regional intergovernmental organizations for the promotion and protection of human rights;

18. Recognizes the important role played by non-governmental organizations in the effective implementation of all human rights instruments, and encourages the exchange of information between the treaty bodies and such organizations;

19. Welcomes the emphasis by the persons chairing the human rights treaty bodies that the enjoyment of the human rights of women should be closely monitored by each treaty body within the competence of its mandate, and recommends that the reporting guidelines adopted by each treaty body be amended to identify related gender-specific information to be addressed by States parties in their reports;

20. Welcomes all appropriate measures the human rights treaty bodies may take, within their mandates, in response to situations of massive human rights violations, including bringing those violations to the attention of the High Commission for Human Rights, as well as the Secretary-General and the bodies of the United Nations competent in the field of human rights, and requests the High Commissioner, acting within his mandate, to coordinate and consult throughout the United Nations system in this regard;

21. Requests the Secretary-General to report to the Commission at its fifty-third session on measures taken to implement the present resolution and on obstacles to its implementation.

22. Decides to consider the question on a priority basis at its fifty-third session under the agenda item entitled "Effective functioning of bodies established pursuant to United Nations human rights instruments".

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