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INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Report of the Third Committee

Rapporteur: Mr. Fuad M. AL-HINAI (Oman)

I. INTRODUCTION

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly allocated to the Third Committee agenda item 81 entitled:

"International Covenants on Human Rights:

- (a) Report of the Human Rights Committee;
- (b) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General."

2. The Committee considered this item at its 30th to 33rd and 37th meetings, held on 26 and 27 October and 2 November. The views expressed by representatives of Member States on this item are contained in the summary records of those meetings (A/C.3/32/SR.30-33 and 37).

3. The Committee had before it the following documents:

(a) Report of the Economic and Social Council to the General Assembly (A/32/3/Add.1 (Part II));

(b) Report of the Human Rights Committee for the year 1977, submitted to the General Assembly in accordance with article 45 of the International Covenant on Civil and Political Rights; 1/

(c) Report of the Secretary-General on the status of the International Covenants (A/32/188);

1/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 44 (A/32/44 and Corr.1).

(d) Letter dated 18 October 1977 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/C.3/32/4);

(e) Statement submitted by the Secretary-General on the financial implications of the work of the Human Rights Committee (A/C.3/32/L.11).

4. The Director of the Division of Human Rights introduced the item at the 30th meeting, on 26 October (see A/C.3/32/SR.30, paras. 35-39).

II. CONSIDERATION OF DRAFT RESOLUTIONS

5. At the 30th meeting, on 26 October, the representative of Denmark, on behalf of Costa Rica, Denmark, Ecuador, Germany, Federal Republic of and Norway, introduced a draft resolution (A/C.3/32/L.7) The draft resolution, which was subsequently sponsored also by Canada, Colombia, Italy, the Netherlands and Peru, read as follows:

"The General Assembly,

"Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights, 2/

"Recalling its resolution 31/86 of 13 December 1976 and in particular its belief that the entry into force of the International Covenants on Human Rights is a major step in the international efforts to promote and encourage respect for human rights and fundamental freedoms for all, thereby contributing greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

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

"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,

"Bearing in mind the important responsibilities of the Economic and Social Council in the implementation of the International Covenant on Economic, Social and Cultural Rights,

"1. Notes with appreciation the report of the Human Rights Committee on its first and second sessions 3/ and expresses its satisfaction at the serious manner in which the Committee is undertaking its functions;

"2. Recommends that the Human Rights Committee strive for uniform standards of implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto;

"3. Requests the Human Rights Committee, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination to take appropriate measures to keep one another informed of their respective activities;

"4. Appeals once again to all States which 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 and the Optional Protocol thereto;

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

"6. Requests the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

"7. Recognizes that such resources as may be necessary should be allocated to enable the Secretary-General to provide the appropriate staff and facilities for the effective servicing of the International Covenants and the Optional Protocol."

6. At the 31st meeting, on 26 October, the representative of Bulgaria, on behalf of Bulgaria, the German Democratic Republic, Guyana, Iraq, Madagascar, Poland, the Syrian Arab Republic and the United Republic of Tanzania, introduced a draft resolution (A/C.3/32/L.9). The draft resolution, which was subsequently sponsored also by Iran, Kenya and Mali, read as follows:

"The General Assembly,

"Convinced that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights,

3/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 44 (A/32/44 and Corr.1).

/...

"Recognizing the importance of the entry into force of the International Covenants which will undoubtedly enhance the ability of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all, and will thus contribute greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

"Recalling in this respect its resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974, as well as resolution 31/86 of 13 December 1976,

"Bearing in mind the important responsibilities of the Economic and Social Council in the implementation of the International Covenant on Economic, Social and Cultural Rights,

"Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights,

"Having noted with appreciation the report of the Human Rights Committee, Committee, 4/

"Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights, 5/

"Expressing its appreciation to those States which have become parties to the International Covenants,

"1. Recognizes the importance of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

"2. Expresses its appreciation for the work done by the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights;

"3. Expresses its appreciation to States parties to the International Covenant on Civil and Political Rights which have extended their co-operation to the Human Rights Committee;

"4. Invites once again those States which 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;

"5. Requests the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights."

4/ Ibid.

5/ A/32/188.

7. A consolidation of draft resolutions A/C.3/32/L.7 and A/C.3/32/L.9 was submitted by the Chairman (A/C.3/32/L.16) and introduced at the 37th meeting on 2 November. The Committee adopted this text without objection at that meeting (see para. 8 below).

III. RECOMMENDATION OF THE THIRD COMMITTEE

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights

The General Assembly,

Convinced that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights,

Recalling its resolution 31/86 of 13 December 1976 and in particular the importance of the entry into force of the International Covenants on Human Rights as a major step in the international efforts to promote and encourage respect for human rights and fundamental freedoms for all, thereby contributing greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

Recalling in this respect its resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974,

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

Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights, 6/

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

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,

Having noted with appreciation the report of the Human Rights Committee on its first and second sessions, 7/

6/ A/32/188.

7/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 44 (A/32/44 and Corr.1).

/...

1. Recognizes the importance of the International Covenants on Human Rights as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;
2. Notes with appreciation the report of the Human Rights Committee on its first and second sessions and expresses its satisfaction at the serious manner in which the Committee is undertaking its functions;
3. Expresses its appreciation to States parties to the International Covenant on Civil and Political Rights which have extended their co-operation to the Human Rights Committee;
4. Invites again all States which 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 the possibilities of acceding to the Optional Protocol thereto;
5. Appreciates that the Human Rights Committee strives for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto;
6. Requests the Secretary-General to keep the Human Rights Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination;
7. Requests the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;
8. Recalls that the International Covenant on Civil and Political Rights envisages that the Secretary-General shall provide the necessary staff and facilities for the effective performance of the Human Rights Committee.
