

Welcoming the establishment, pursuant to Economic and Social Council resolution 1985/17 of 28 May 1985, of the Committee on Economic, Social and Cultural Rights to oversee the implementation of the International Covenant on Economic, Social and Cultural Rights,

Noting with concern the critical situation with regard to delays in the submission of reports due under the International Covenants on Human Rights,

Noting that 1986 marks the twentieth anniversary 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-sixth, twenty-seventh and twenty-eighth sessions,⁸⁰ and expresses its satisfaction with the serious and constructive manner in which the Committee is continuing to undertake its functions;

2. Expresses its appreciation to the 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 the 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;

11. Urges States parties to continue to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights;

12. Urges States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and co-operation to the Committee on Economic, Social and Cultural Rights;

13. Requests the Secretary-General to keep the Human Rights Committee informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women, and also to transmit the annual reports of the Human Rights Committee to those bodies;

14. Also requests the Secretary-General to submit to the General Assembly at its forty-second 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;

15. Again urges the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, within existing resources, to give more publicity to the work of the Committee and, similarly, to the work of the Economic and Social Council, to maintain satisfactory programmes of meetings and to improve the administrative and related arrangements to enable them to carry out effectively their respective functions under the International Covenants on Human Rights;

16. Welcomes the progress already made with a view to the publication of the official public records of the Human Rights Committee in bound volumes and looks forward to further progress in this regard;

17. Encourages all Governments to publish the texts 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 in as many languages as possible and to distribute them and make them known as widely as possible in their territories;

18. Requests the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights.

97th plenary meeting
4 December 1986

41/120. Setting international standards in the field of human rights

The General Assembly,

Recalling the extensive network of international standards in the field of human rights, which it, other United Nations bodies and the specialized agencies, have established,

Emphasizing the primacy of the Universal Declaration of Human Rights,² the International Covenant on Civil and Political Rights²² and the International Covenant on Economic, Social and Cultural Rights²² in this network,

Reaffirming that effective implementation of these international standards is of fundamental importance,

Recognizing the value of continuing efforts to identify specific areas where further international action is required to develop the existing international legal framework in the field of human rights pursuant to Article 13, paragraph 1 a, of the Charter of the United Nations,

Recognizing also that standard setting should proceed with adequate preparation,

Emphasizing that the standard setting activities of the United Nations should be as effective and efficient as possible,

1. *Calls upon* Member States and United Nations bodies to accord priority to the implementation of existing international standards in the field of human rights and urges broad ratification of, or accession to, existing treaties in this field;

2. *Urges* Member States and United Nations bodies engaged in developing new international human rights standards to give due consideration in this work to the established international legal framework;

3. *Reaffirms* the important role of the Commission on Human Rights, among other appropriate United Nations bodies, in the development of international instruments in the field of human rights;

4. *Invites* Member States and United Nations bodies to bear in mind the following guidelines in developing international instruments in the field of human rights; such instruments should, *inter alia*:

(a) Be consistent with the existing body of international human rights law;

(b) Be of fundamental character and derive from the inherent dignity and worth of the human person;

(c) Be sufficiently precise to give rise to identifiable and practicable rights and obligations;

(d) Provide, where appropriate, realistic and effective implementation machinery, including reporting systems;

(e) Attract broad international support;

5. *Requests* the Secretary-General to provide appropriate specialized support to United Nations bodies working on standard setting in the field of human rights.

97th plenary meeting
4 December 1986

41/121. Reporting obligations under United Nations instruments on human rights

The General Assembly,

Having considered the report of the Secretary-General containing updated information as at 1 June 1986 on the problem of overdue reports by States parties to United Nations instruments on human rights, the comments of States parties with more than two such reports and information on training activities to assist States in fulfilling their reporting obligations,⁸¹

Noting with concern the critical situation with regard to overdue reports under the International Convention on the Elimination of All Forms of Racial Discrimination³ and the significant backlog of reports developing in relation to other United Nations instruments on human rights,

Recognizing the burden that coexisting reporting systems places upon Member States that are parties to various instruments and noting that this burden may become more onerous as additional instruments come into force,

Welcoming the decision of States parties⁸² to the International Convention on the Elimination of Racial Discrimination to approve the practice of the Committee on the Elimination of Racial Discrimination of considering multiple overdue reports in consolidated form,

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

Drawing attention to the need for States parties to submit reports in a timely manner to the various bodies that have been set up to supervise implementation of United Nations instruments on human rights and to co-operate as fully as possible with those bodies to make the best use of their meeting time, in particular by presenting their reports on scheduled dates or, if that is not possible, by providing sufficient notice to enable meeting time to be reallocated,

Bearing in mind the need for those bodies which depend on funding from the regular budget of the United Nations to improve their efficiency and cost-effectiveness, especially in view of the financial emergency faced by the United Nations,

1. *Urges* States parties with overdue reports to make every effort to present their reports as soon as possible and to take advantage of opportunities whereby such reports could be consolidated;

2. *Requests* the Secretary-General to continue work on developing a compilation of the general guidelines elaborated by the various supervisory bodies and the list of articles dealing with related rights under United Nations instruments on human rights;

3. *Encourages* States parties to take the relevant guidelines into account when preparing reports and to provide reports that are as succinct as possible;

4. *Invites* the Chairmen of the supervisory bodies to encourage their respective members:

(a) To give priority attention to consideration of remedial measures to deal with the problems highlighted in the Secretary-General's report;

(b) To give further consideration to harmonizing and consolidating the reporting guidelines developed by these bodies and to other means whereby duplication could be avoided in the submission of material by States parties to the various supervisory bodies;

(c) To consider rearranging, where possible, the periodicity of reporting, especially in view of the future probable increase in the number of instruments;

(d) To report on the results of their deliberations to the appropriate meetings of States parties;

5. *Further invites* the Chairmen of these bodies to maintain communication and dialogue with each other on common issues and problems;

6. *Requests* the Secretary-General to consider making provision in his proposed programme budget for the biennium 1988-1989 for a meeting of the Chairmen of these bodies in 1988;

7. *Invites* the new Committee on Economic, Social and Cultural Rights⁷⁶ to give early attention to the question of the reporting system on implementation of the Interna-

⁸¹ A/41/510.

⁸² See CERD/SP/SR.16, paras. 23 and 24.