



General Assembly

Distr.
LIMITED

A/C.3/44/L.73
24 November 1989

ORIGINAL: ENGLISH

Forty-fourth session
THIRD COMMITTEE
Agenda item 109

EFFECTIVE IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS ON HUMAN
RIGHTS, INCLUDING REPORTING OBLIGATIONS UNDER INTERNATIONAL
INSTRUMENTS ON HUMAN RIGHTS

Australia, Austria, Canada, Denmark, Hungary, India, Italy,
Netherlands, Norway, Philippines, Portugal, Sweden and
Yugoslavia: draft resolution

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

The General Assembly,

Recalling its resolution 43/115 of 8 December 1988, as well as other relevant
resolutions of the General Assembly,

Taking note of Commission on Human Rights resolutions 1989/46 and 1989/47 of
6 March 1989, 1/

Reaffirming that the effective implementation of United Nations instruments on
human rights is of major importance to the efforts of the Organization, pursuant to
the Charter of the United Nations and to the Universal Declaration of Human
Rights 2/ to promote universal respect for and observance of human rights and
fundamental freedoms,

1/ See Official Records of the Economic and Social Council, 1989, Supplement
No. 2 (E/1989/20), chap. II, sect. A.

2/ Resolution 21/ A (III).

Considering that the effective functioning of treaty bodies established pursuant to United Nations human rights instruments is indispensable for the effective implementation of such instruments,

Reaffirming its responsibility to ensure the proper functioning of the aforesaid treaty bodies, created pursuant to instruments adopted by the General Assembly, and, in this connection, further reaffirming the importance of:

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

(b) Addressing the question of securing sufficient financial resources, which continues to hamper the proper functioning of human rights treaty bodies, and of providing sufficient resources to ensure their effective functioning;

(c) Addressing questions of both reporting obligations and financial implications whenever considering the possibility of establishing any further human rights instruments,

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

Expressing concern about the continuing and increasing 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,

Taking note of the report of the Secretary-General 3/ on progress achieved in enhancing the effective functioning of the human rights bodies, pursuant, inter alia, to the conclusions and recommendations of the meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 11 October 1988, 4/

Taking note with appreciation of the study 5/ on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations human rights instruments, prepared by an independent expert pursuant to the above-mentioned resolutions,

3/ A/44/539.

4/ A/44/98.

5/ A/44/668, annex.

1. Endorses the recommendations of the meeting of chairpersons of the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, as well as the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;
2. Welcomes the appointment by the Secretary-General of a task force to prepare a study on computerizing, as far as possible, the work of the treaty-monitoring bodies, with a view to increasing efficiency and facilitating compliance by States parties with their reporting obligations and the examination of reports by the treaty bodies;
3. Takes note of the Secretary-General's report ^{6/} to the Committee on Economic, Social and Cultural Rights showing the extent of overlapping issues dealt with in international human rights treaties, which will assist efforts to reduce, as appropriate, duplication in the supervisory bodies of issues raised with respect to any given State party;
4. Encourages the Secretary-General to proceed with the planned finalization, and circulation to the various treaty bodies by the end of 1989, of the draft detailed reporting manual to assist States in the fulfilment of their reporting obligations;
5. Again urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing co-ordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;
6. Welcomes the emphasis placed by the meeting of chairpersons and by the Commission on Human Rights on the importance of technical assistance and advisory services and further to this end;
 - (a) Endorses the Commission's request that the Secretary-General report regularly to the Commission on possible technical assistance projects identified by the treaty bodies;
 - (b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of States parties;
7. Acknowledges the recommendations of the meeting of chairpersons on the need to ensure financing and adequate staffing resources for the operations of the human rights treaty bodies and, with this in mind:

^{6/} E/C.12/1989/3.

(a) **Reiterates** its request that the Secretary-General review the need for adequate staffing resources in regard to the various human rights treaty bodies;

(b) **Requests** that he report on this question to the Commission on Human Rights at its forty-sixth session as well as to the General Assembly at its forty-fifth session;

8. **Calls upon** all States parties to fulfil without delay and in full their financial obligations under the relevant human rights instruments and requests the Secretary-General to consider ways and means of strengthening collection procedures and making them more effective;

9. **Requests** the Secretary-General, as a matter of priority, to consider administrative and budgetary measures to alleviate the current financial difficulties of the treaty bodies and thus guarantee their regular functioning and to report on these measures to the Commission on Human Rights at its forty-sixth session;

10. **Emphasizes** that such administrative and budgetary measures shall be provided without prejudice to the duty of States parties under United Nations human rights instruments to meet all their financial obligations pursuant to such instruments;

11. **Invites** the persons chairing the human rights treaty bodies to maintain communication and dialogue with each other on common issues and problems and, to this end, requests the Secretary-General to convene a meeting of the chairpersons in 1990;

12. **Expresses its satisfaction** with the independent expert's study on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations human rights instruments, which contains several recommendations on reporting and monitoring procedures, servicing and financing of supervisory bodies and long-term approaches to human rights standard-setting and implementation mechanisms, and which will be presented to the Commission on Human Rights for detailed consideration at its forty-sixth session;

13. **Decides** to give priority consideration at its forty-fifth session to the conclusions and recommendations of the independent expert, in light of the deliberations of the Commission on Human Rights and those of the meeting of chairpersons, under an agenda item entitled "Effective implementation of United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments".
