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STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Report by the Secretary-General

1. At its thirty-sixth session, the Commission on Human Rights had before it a note by the Secretary-General (E/CN.4/1376) 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. By its resolution 8 (XXXVI) of 21 February 1980, the Commission, *inter alia*, reaffirmed the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms; again invited all States which had 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; invited 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; encouraged all Governments to publish the texts of the International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights and to disseminate them and make them known as widely as possible in their territories; and requested the Secretary-General to submit to the Commission on Human Rights at its thirty-seventh session a report on the status of the International Covenants on Human Rights and on the Optional Protocol and to include in this report information on the work of the Economic and Social Council and its Working Group on the implementation of the International Covenant on Economic, Social and Cultural Rights. The present note was prepared in response to that request.
3. Since the adoption by the Commission of resolution 8 (XXXVI), the two Covenants were ratified or acceded to by Nicaragua, Sri Lanka and France, and Australia ratified the International Covenant on Civil and Political Rights thus bringing the number of ratifications or accessions, as at 31 December 1980, to 65 for the International Covenant on Civil and Political Rights and to 66 for the International Covenant on Economic, Social and Cultural Rights. The list of States that had signed, ratified or acceded to the Covenants, as well as the dates of their signature, ratification or accession, may be found in annexes I and II. Also indicated in annex II are the 13 States parties which have so far made the declaration under article 41 of the International Covenant on Civil and Political Rights, recognizing the competence of the Human Rights Committee to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant. The provisions of article 41 entered into force on 28 March 1979 in accordance with paragraph 2 of that article.

4. In addition, the Optional Protocol to the International Covenant on Civil and Political Rights was ratified or acceded to by Nicaragua, Peru and Trinidad and Tobago. As of 31 December 1980, 25 States had ratified or acceded to the Protocol. The list of States that had signed, ratified or acceded to the Protocol, as well as the dates of their signature, ratification or accession, may be found in annex III.

5. The Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, established in accordance with Economic and Social Council decision 1978/10 of 3 May 1978, held its second session at United Nations Headquarters from 11 to 25 April 1980. The Working Group was composed of the following members of the Council which were also States parties to the Covenant: Barbados, Ecuador, Finland, Germany, Federal Republic of, Hungary, India, Iraq, Japan, Libyan Arab Jamahiriya, Romania, Senegal, Spain, Union of Soviet Socialist Republics and United Republic of Tanzania.

6. At its second session, the Working Group considered the reports submitted by States parties under the first stage of the Programme established by Council resolution 1988 (LX) concerning rights covered by articles 6 to 9 of the Covenant. It also considered proposals relating to the review of its composition and mandate and other organizational matters and submitted a report to the Economic and Social Council at its first regular session of 1980 (E/1980/60).

7. By its resolution 1980/24 of 2 May 1980, the Economic and Social Council, noting that the Sessional Working Group established under its decision 1978/10 had encountered certain difficulties in discharging its responsibilities under the present arrangements, decided to review at its organizational session for 1981, in accordance with its decision 1978/10, the composition, organization and administrative arrangements of the Working Group, and requested the Secretary-General, in order to assist the Council in reviewing its decision 1978/10, to solicit the views of members of the Council and all States parties to the Covenant on the future composition, organization and administrative arrangements of the Working Group, and to submit a report thereon, together with any comments he might wish to make, to the Council at its organizational session in 1981. The Council also decided that the Sessional Working Group for 1981 should be constituted under the existing arrangements at the organizational session of the Economic and Social Council in 1981 and should start its work at the beginning of the first regular session, if the review called for in paragraph 1 of the Council's resolution could not be concluded at the organizational session. 1/

8. The General Assembly in its resolution 35/132 of 11 December 1980, inter alia, noted with appreciation that during the first regular session of the Economic and Social Council in 1980 the Sessional Working Group on the implementation of the International Covenant on Economic, Social and Cultural Rights began consideration of reports submitted by States parties under article 16 of the Covenant, and welcomed Economic and Social Council resolution 1980/24 regarding the consideration of reports submitted under that Covenant.

1/ See Official Records of the General Assembly, Thirty-fifth session, Supplement No. 3 (A/35/3/Rev.1), chap. XXIV; also reproduced as A/35/3/Add.24.

9. As regards the implementation of the International Covenant on Civil and Political Rights, the Human Rights Committee held its eighth session at the United Nations Office at Geneva from 15 to 26 October 1979 and its ninth and tenth sessions also at the United Nations Office at Geneva from 17 March to 3 April 1980 and from 14 July to 1 August 1980, respectively. In accordance with article 45 of the Covenant and article 6 of the Optional Protocol, the Committee submitted its fourth annual report, through the Economic and Social Council, to the General Assembly at its thirty-fifth session, 2/ which covers the activities of the Committee at its eighth, ninth and tenth sessions.
10. The Committee also held its eleventh session at the United Nations Office at Geneva from 20 to 31 October 1980. Following a decision of the Committee at its fifth session to adopt its annual reports at the end of its summer sessions for appropriate transmission to the General Assembly, through the Economic and Social Council, in compliance with the requirement of article 45 of the Covenant, the activities of the Committee at its eleventh session will be covered in its next annual report.
11. At its eleventh session, the Human Rights Committee continued its study of reports submitted by States parties in accordance with article 40 of the Covenant as well as its consideration of a number of communications received under the Optional Protocol. In addition to carrying out its two main activities, the Committee examined in detail the question of the follow-up to be given to its consideration of reports of States parties, in particular, to the nature of its functions under article 40, paragraph 4, of the Covenant, and adopted a decision by consensus on a number of principles relevant to its duties and responsibilities under that article.
12. In its resolution 35/132 of 11 December 1980, the General Assembly 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, expressed its appreciation to the States parties to the International Covenant on Civil and Political Rights which have extended their co-operation to the Human Rights Committee when submitting their reports under article 40 of the Covenant; urged States parties which have not yet done so to submit their reports to the Committee as speedily as possible; took note of the fact that the Human Rights Committee was considering the question of the follow-up to its consideration of the reports of States parties to the Covenant; again invited all States which have not yet done so to become parties to both Covenants on Human Rights and to the Optional Protocol; requested the Secretary-General to continue 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 and also to transmit the annual reports of the Human Rights Committee to these bodies; and welcomed the measures already taken by the Secretary-General to improve the publicity for the work of the Human Rights Committee and encouraged the Committee to continue its consideration of this question. In accordance with Assembly resolution 35/132, the fourth annual report of the Committee (A/35/40) will be made available to the Commission at its thirty-seventh session.

2/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 40 (A/35/40).

13. The Human Rights Committee is scheduled to hold its twelfth session from 23 March to 10 April 1981 at United Nations Headquarters. In its resolution 35/132, the General Assembly requested the Secretary-General to make appropriate arrangements in accordance with General Assembly resolution 31/140 of 17 December 1976 for the holding of meetings of the Human Rights Committee in developing countries and to report in this regard to the General Assembly at its thirty-sixth session.

ANNEX I

List of States which have signed, ratified or acceded
to the International Covenant on Economic, Social
and Cultural Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Algeria	10 December 1968	
Argentina	19 February 1968	
Australia	18 December 1972	10 December 1975
Austria	10 December 1973	10 September 1978
Barbados		5 January 1973 a/
Belgium	10 December 1968	
Bulgaria	8 October 1968	21 September 1970
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Canada		19 May 1976 a/
Chile	16 September 1969	10 February 1972
Colombia	21 December 1966	29 October 1969
Costa Rica	19 December 1966	29 November 1968
Cyprus	9 January 1967	2 April 1969
Czechoslovakia	7 October 1968	23 December 1975
Democratic Kampuchea	17 October 1980	
Denmark	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 a/
Ecuador	29 September 1967	6 March 1969
Egypt	4 August 1967	
El Salvador	21 September 1967	30 November 1979
Finland	11 October 1967	19 August 1975
France		4 November 1980 a/
Gambia		29 December 1978 a/
German Democratic Republic	27 March 1973	8 November 1973
Germany, Federal Republic of	9 October 1968	17 December 1973
Guinea	23 February 1967	24 January 1978
Guyana	22 August 1968	15 February 1977
Honduras	19 December 1966	
Hungary	25 March 1969	17 January 1974

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Iceland	30 December 1968	22 August 1979
India		10 April 1979 <u>a/</u>
Iran	4 April 1968	24 June 1975
Iraq	18 February 1969	25 January 1971
Ireland	1 October 1973	
Israel	19 December 1966	
Italy	18 January 1967	15 September 1978
Jamaica	19 December 1966	3 October 1975
Japan	30 May 1978	21 June 1979
Jordan	30 June 1972	28 May 1975
Kenya		1 May 1972 <u>a/</u>
Lebanon		3 November 1972 <u>a/</u>
Liberia	18 April 1967	
Libyan Arab Jamahiriya		15 May 1970 <u>a/</u>
Luxembourg	26 November 1974	
Madagascar	14 April 1970	22 September 1971
Mali		16 July 1974 <u>a/</u>
Malta	22 October 1968	
Mauritius		12 December 1973 <u>a/</u>
Mongolia	5 June 1968	18 November 1974
Morocco	19 January 1977	3 May 1979
Netherlands	25 June 1969	11 December 1978
New Zealand	12 November 1968	28 December 1978
Nicaragua		12 March 1980 <u>a/</u>
Norway	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru	11 August 1977	28 April 1978
Philippines	19 December 1966	7 June 1974
Poland	2 March 1967	18 March 1977
Portugal	7 October 1976	31 July 1978
Romania	27 June 1968	9 December 1974
Rwanda		16 April 1975 <u>a/</u>

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Senegal	6 July 1970	13 February 1978
Spain	28 September 1976	27 April 1977
Sri Lanka		11 June 1980 a/
Suriname		28 December 1976 a/
Sweden	29 September 1967	6 December 1971
Syrian Arab Republic		21 April 1969 a/
Trinidad and Tobago		8 December 1978 a/
Tunisia	30 April 1968	18 March 1969
Ukrainian Soviet Socialist Republic	20 March 1968	12 November 1973
Union of Soviet Socialist Republics	18 March 1968	16 October 1973
United Kingdom of Great Britain and Northern Ireland	16 September 1968	20 May 1976
United Republic of Tanzania		11 June 1976 a/
United States of America	5 October 1977	
Uruguay	21 February 1967	1 April 1970
Venezuela	24 June 1969	10 May 1978
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 a/

a/ Accession

ANNEX II

List of States which have signed, ratified or acceded to the
International Covenant on Civil and Political Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Algeria	10 December 1968	
Argentina	19 February 1968	
Australia	18 December 1972	13 August 1980
Austria ^{b/}	10 December 1973	10 September 1978
Barbados		5 January 1973 ^{a/}
Belgium	10 December 1968	
Bulgaria	8 October 1968	21 September 1970
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Canada ^{b/}		19 May 1976 ^{a/}
Chile	16 September 1969	10 February 1972
Colombia	21 December 1966	29 October 1969
Costa Rica	19 December 1966	29 November 1968
Cyprus	19 December 1966	2 April 1969
Czechoslovakia	7 October 1968	23 December 1975
Democratic Kampuchea	17 October 1980	
Denmark ^{b/}	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 ^{a/}
Ecuador	4 April 1968	6 March 1969
Egypt	4 August 1967	
El Salvador	21 September 1967	30 November 1979
Finland ^{b/}	11 October 1967	19 August 1975
France		4 November 1980 ^{a/}
Gambia		22 March 1979 ^{a/}
German Democratic Republic	27 March 1973	8 November 1973
Germany, Federal Republic of ^{b/}	9 October 1968	17 December 1973
Guinea	28 February 1967	24 January 1978
Guyana	22 August 1968	15 February 1977
Honduras	19 December 1966	
Hungary	25 March 1969	17 January 1974

ANNEX II (continued)

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Iceland ^{b/}	30 December 1968	22 August 1979
India		10 April 1979 ^{a/}
Iran	4 April 1968	24 June 1975
Iraq	18 February 1969	25 January 1971
Ireland	1 October 1973	
Israel	19 December 1966	
Italy ^{b/}	18 January 1967	15 September 1978
Jamaica	19 December 1966	3 October 1975
Japan	30 May 1978	21 June 1979
Jordan	30 June 1972	28 May 1975
Kenya		1 May 1972 ^{a/}
Lebanon		3 November 1972 ^{a/}
Liberia	18 April 1967	
Libyan Arab Jamahiriya		15 May 1970 ^{a/}
Luxembourg	26 November 1974	
Madagascar	17 September 1969	21 June 1971
Mali		16 July 1974 ^{a/}
Mauritius		12 December 1973 ^{a/}
Mongolia	5 June 1968	18 November 1974
Morocco	19 January 1977	3 May 1979
Netherlands ^{b/}	25 June 1969	11 December 1978
New Zealand ^{b/}	12 November 1968	28 December 1978
Nicaragua		12 March 1980 ^{a/}
Norway ^{b/}	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru	11 August 1977	28 April 1978
Philippines	19 December 1966	
Poland	2 March 1967	18 March 1977
Portugal	7 October 1976	15 June 1978
Romania	27 June 1968	9 December 1974
Rwanda		16 April 1975 ^{a/}
Senegal	6 July 1970	13 February 1978

ANNEX II (continued)

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Spain	28 September 1976	27 April 1977
Sri Lanka ^{b/}		11 June 1980 ^{a/}
Suriname		28 December 1976 ^{a/}
Sweden ^{b/}	29 September 1967	6 December 1971
Syrian Arab Republic		21 April 1969 ^{a/}
Trinidad and Tobago		21 December 1978 ^{a/}
Tunisia	30 April 1968	18 March 1969
Ukrainian Soviet Socialist Republic	20 March 1968	12 November 1973
Union of Soviet Socialist Republics	18 March 1968	16 October 1973
United Kingdom of Great Britain and Northern Ireland ^{b/}	16 September 1968	20 May 1976
United Republic of Tanzania		11 June 1976 ^{a/}
United States of America	5 October 1977	
Uruguay	21 February 1967	1 April 1970
Venezuela	24 June 1969	10 May 1978
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 ^{a/}

^{a/} Accession.

^{b/} Made the declaration under article 41 of the Covenant.

ANNEX III

List of States which have signed, ratified or acceded to the
Optional Protocol to the International Covenant on Civil and
Political Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Austria	10 December 1973	
Barbados		5 January 1973 ^{a/}
Canada		19 May 1976 ^{a/}
Colombia	21 December 1966	29 October 1969
Costa Rica	19 December 1966	29 November 1968
Cyprus	19 December 1966	
Denmark	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 ^{a/}
Ecuador	4 April 1968	6 March 1969
El Salvador	21 September 1967	
Finland	11 December 1967	19 August 1975
Guinea	19 March 1975	
Honduras	19 December 1966	
Iceland		22 August 1979 ^{a/}
Italy	30 April 1976	15 September 1978
Jamaica	19 December 1966	3 October 1975
Madagascar	17 September 1969	21 June 1971
Mauritius		12 December 1973 ^{a/}
Netherlands	25 June 1969	11 December 1978
Nicaragua		12 March 1980 ^{a/}
Norway	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru	11 August 1977	3 October 1980
Portugal	1 August 1978	
Philippines	19 December 1966	
Senegal	6 July 1970	13 February 1978
Suriname		28 December 1976 ^{a/}
Sweden	29 September 1967	6 December 1971
Trinidad and Tobago		14 November 1980 ^{a/}
Uruguay	21 February 1967	1 April 1970
Venezuela	15 November 1976	10 May 1978
Zaire		1 November 1976 ^{a/}

^{a/} Accession.