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STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Argentina*, Armenia*, Australia, Austria, Belarus, Bulgaria, Canada, Chile, Costa Rica*, Croatia*, Denmark, Ecuador, El Salvador, Finland*, France, Germany, Hungary, Iceland*, Ireland*, Italy, Latvia*, Luxembourg*, Madagascar, Mauritius*, Netherlands, New Zealand*, Nicaragua, Norway*, Peru, Philippines, Poland*, Portugal*, Republic of Korea, Russian Federation, Senegal*, Slovakia*, Spain*, Sweden*, Switzerland*, Ukraine and Venezuela:
draft resolution

1996/... Status of the International Covenants on Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 50/171 of 22 December 1995 and its own resolution 1995/22 of 24 February 1995,

Mindful that the International Covenants on Human Rights constitute all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the heart of the International Bill of Human Rights,

Having considered the report of the Secretary-General on the status of the International Covenants on Human Rights (E/CN.4/1996/75),

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

Noting that many States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Bearing in mind the successful conclusion of the World Conference on Human Rights and the adoption of the Vienna Declaration and Programme of Action, and taking into account in particular the call for strengthening and further implementation of the human rights instruments,

1. Reaffirms 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;

2. Appeals strongly to all States that have not yet become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to do so, as well as to accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in its article 41;

3. Invites the Secretary-General to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to provide such services as may be sought by States that are not parties to the Covenants, with a view to assisting them to ratify or accede to them and to the Optional Protocols to the International Covenant on Civil and Political Rights;

4. Emphasizes the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

5. Encourages States, in accordance with the Vienna Declaration and Programme of Action, to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate such reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

6. Also encourages States parties to review periodically any reservations made in respect of the provisions of the International Covenants on Human Rights with a view to withdrawing them;

7. Stresses to States parties the importance of avoiding the erosion of human rights by derogation, and underlines the necessity for strict

observance of the agreed conditions and procedure for derogation under article 4 of the International Covenant on Civil and Political Rights and the need for States parties to provide full and timely information also during states of emergency, so that the justification and appropriateness of measures taken in these circumstances can be assessed;

8. Expresses its satisfaction with the serious and constructive manner in which the Human Rights Committee and the Committee on Economic, Social and Cultural Rights are undertaking their functions, and welcomes further efforts of the Committees to improve their methods of work, as well as to pay due attention to equal enjoyment of human rights by women and men;

9. Welcomes the continuing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to strive for uniform standards in the implementation of the provisions of the International Covenants on Human Rights, and appeals to other bodies dealing with similar questions of human rights to accept these uniform standards as expressed in the general comments of the two Committees;

10. Takes note of the measures taken by the Committee on Economic, Social and Cultural Rights towards the elaboration of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights as recommended by the World Conference on Human Rights, and requests the Committee to submit a report on the matter to the Commission on Human Rights at its fifty-third session;

11. Urges States parties to fulfil in good time their reporting obligations under the International Covenants on Human Rights and in their reports to make use of gender-disaggregated data;

12. Also urges States parties to take duly into account, in implementing the provisions of the Covenants, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights;

13. Invites States parties to give particular attention to dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the observations made by the Committees at the conclusion of the consideration of the reports;

14. Encourages once again 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 Protocols to the International Covenant on Civil and Political Rights in as many languages as possible and to disseminate them as widely as possible in order to make them better known among the general public;

15. Requests the Secretary-General to consider ways and means of assisting States parties to the Covenants, with their agreement, in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

16. Also requests the Secretary-General to provide the Human Rights Committee and the Committee on Economic, Social and Cultural Rights with additional means to deal effectively and in a timely manner with the increasing workload;

17. Further requests the Secretary-General to submit to the Commission on Human Rights, at its fifty-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 Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations;

18. Decides to include in the provisional agenda of its fifty-third session the item entitled "Status of the International Covenants on Human Rights".
