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## COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

Item 12 of the provisional agenda

### STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

#### Report of the Secretary-General

1. At its thirty-eighth session, the Commission on Human Rights had before it a note by the Secretary-General (E/CN.4/1981) 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 1982/10 of 9 March 1982, 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; emphasized 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 distribute 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-ninth 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 report was prepared in response to that request.
3. Since the adoption by the Commission of resolution 1982/10, the two Covenants were ratified or acceded to by Bolivia, Viet Nam and Egypt and the Solomon Islands succeeded to the International Covenant on Economic, Social and Cultural Rights thus bringing the number of ratifications or accessions, as at 31 December 1982, to 75 for the International Covenant on Economic, Social and Cultural Rights and to 72 for the International Covenant on Civil and Political 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 14 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 acceded to by Bolivia. As of 31 December 1982, 28 States parties to the International Covenant on Civil and Political Rights had also become parties 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. As regards the implementation of the International Covenant on Economic, Social and Cultural Rights, the Sessional Working Group on the implementation of that Covenant, established in accordance with Economic and Social Council decision 1978/10 of 3 May 1978, held its fourth session at United Nations headquarters from 5 to 23 April 1982. The Group was composed of the following members of the Council which were also States parties to the Covenant: Bulgaria, Byelorussian Soviet Socialist Republic, France, Germany, Federal Republic of, Japan, Kenya, Libyan Arab Jamahiriya, Mexico, Norway, Peru, Tunisia, Union of Soviet Socialist Republics and Venezuela.

6. At its fourth session, the Sessional Working Group considered reports submitted by States parties under the first, second and third stages of the Programme established by Economic and Social Council resolution 1988 (LX) of 11 May 1976 concerning rights covered by articles 6 to 9, 10 to 12 and 13 to 15 of the Covenant. It also considered the question of the review of its future composition, organization and administrative arrangements and submitted a report to the Economic and Social Council at its first regular session of 1982 (E/1982/56 and Corr.1).

7. By its resolution 1982/33 of 6 May 1982, the Economic and Social Council took measures to review the composition, organization and administrative arrangements of the Sessional Working Group and decided, inter alia, that the Working Group should henceforth be known as "Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights", to be referred to as the "Group of Experts", that the 15 members of the Group of Experts should be elected by the Council from among the States parties to the Covenant, in accordance with the geographical distribution established by the Council in paragraph (a) of its decision 1978/10; that the members of the Group of Experts should be elected for a term of three years; and that one member from each regional group should be renewed each year. In the same resolution, the Council decided that the first elections for the membership of the Group of Experts would take place at the resumed second regular session of the Council in 1982 and subsequent elections would take place each year during the first regular session of the Council.

8. In the same resolution, it was also decided that each member State elected to the Group of Experts should designate, in consultation with the Secretary-General and subject to confirmation by the Council, a qualified person to represent that member State in the Group of Experts; that the persons so designated should be experts with recognized competence in the field of human rights; and that the confirmation of the experts so designated should take place at the organizational session for 1983 of the Council.

9. The Group of Experts is to meet annually for a period of three weeks, beginning two weeks before the first regular session of the Council, and the duration of each session may be extended by the Council at its organizational session, if required, taking into account the number of reports to be examined by the Group of Experts in the course of its following session. The Group of Experts will make suggestions and recommendations of a general nature based on its consideration of reports submitted by States parties to the Covenant and by the specialized agencies, in order to assist the Council to fulfil, in particular, its responsibilities under articles 21 and 22 of the Covenant.

10. The Council is to review the composition, organization and administrative arrangements of the Group of Experts at its first regular session of 1985, and subsequently every three years, taking into account the principle of equitable geographical distribution and the increase in the number of States parties to the Covenant. The procedures and methods of work established by Council resolutions 1988 (LX) and 1979/43, and decisions 1978/10 and 1981/158, will remain in force in so far as they are not modified by resolution 1982/33.

11. At its resumed second regular session of 1982, the Economic and Social Council elected the following 13 States parties to be represented in the Group of Experts: Bulgaria, Colombia, Denmark, France, German Democratic Republic, Japan, Jordan, Kenya, Libyan Arab Jamahiriya, Peru, Spain, Tunisia and the Union of Soviet Socialist Republics. The Council agreed to postpone to a later date the election of two remaining members.

12. The General Assembly in its resolution 37/191 of 18 December 1982 commended 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 urged States which have not yet done so to submit their reports as soon as possible; and took note of Economic and Social Council resolution 1982/33 of 6 May 1982 concerning the review of the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights.

13. As regards the implementation of the International Covenant on Civil and Political Rights, the Human Rights Committee held its fourteenth session at Bonn from 12 to 30 October 1981, its fifteenth session at United Nations headquarters from 22 March to 9 April 1982 and its sixteenth session at the United Nations Office at Geneva from 12 to 30 July 1982. In accordance with article 45 of the Covenant and article 6 of the Optional Protocol, the Committee submitted its sixth annual report, through the Economic and Social Council, to the General Assembly at its thirty-seventh session, 1/ which covers the activities of the Committee at its fourteenth, fifteenth and sixteenth sessions.

14. The Committee also held its seventeenth session at the United Nations Office at Geneva from 11 to 29 October 1982. 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 seventeenth session will be covered in its next annual report.

15. In its resolution 37/191 of 18 December 1982, 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,

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1/ Official Records of the General Assembly, Thirty-seventh session, Supplement No. 40 (A/37/40)

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 in 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; 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, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination Against Women and also to transmit the annual reports of the Human Rights Committee to those bodies; took note with appreciation of the request of the Human Rights Committee that its official records be made available annually in bound volumes and requested the Secretary-General to consider making the arrangements within existing resources which he deems the most suitable and economical for publishing these annual volumes; and requested the Secretary-General to continue to take all possible steps to ensure that the Human Rights Centre of the Secretariat is able to assist effectively the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights, taking into account General Assembly resolutions 3534 (XXX) of 17 December 1975 and 31/93 of 14 December 1976.

16. In accordance with General Assembly resolution 37/191, the sixth annual report of the Human Rights Committee (A/37/40) will be made available to the Commission on Human Rights at its thirty-ninth 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	
Bolivia		12 August 1982 a/
Bulgaria	8 October 1968	21 September 1970
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Canada		19 May 1976 a/
Central African Republic		8 May 1981 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
Democratic People's Republic of Korea		14 September 1981 a/
Dominican Republic		4 January 1978 a/
Ecuador	29 September 1967	6 March 1969
Egypt	4 August 1967	14 January 1982
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	28 February 1967	24 January 1978

a/ Accession.

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Guyana	22 August 1968	15 February 1977
Honduras	19 December 1966	17 February 1981 a/
Hungary	25 March 1969	17 January 1974
Iceland	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	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	14 April 1970	22 September 1971
Mali		16 July 1974 a/
Malta	22 October 1968	
Mauritius		12 December 1973 a/
Mexico		23 March 1981 a/
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 a/
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

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
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 a/
St. Vincent and the Grenadines		9 November 1981 a/
Senegal	6 July 1970	13 February 1978
Solomon Islands		17 March 1982 b/
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
Viet Nam		24 September 1982 a/
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 a/

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a/ Idem.

b/ Date of receipt of notification of succession.

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 <u>a/</u>	10 December 1973	10 September 1978
Barbados		5 January 1973 <u>b/</u>
Belgium	10 December 1968	
Bolivia		12 August 1982 <u>b/</u>
Bulgaria	8 October 1968	21 September 1970
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Canada <u>a/</u>		19 May 1976 <u>b/</u>
Central African Republic		8 May 1981 <u>b/</u>
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	
Democratic People's Republic of Korea		14 September 1981 <u>b/</u>
Denmark <u>a/</u>	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 <u>b/</u>
Ecuador	4 April 1968	6 March 1969
Egypt	4 August 1967	14 January 1982
El Salvador	21 September 1967	30 November 1979
Finland <u>a/</u>	11 October 1967	19 August 1975
France		4 November 1980 <u>b/</u>
Gambia		22 March 1979 <u>b/</u>
German Democratic Republic	27 March 1973	8 November 1973
Germany, Federal Republic of <u>a/</u>	9 October 1968	17 December 1973
Guinea	28 February 1967	24 January 1978
Guyana	22 August 1968	15 February 1977



<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Honduras	19 December 1966	
Hungary	25 March 1969	17 January 1974
Iceland <u>a/</u>	30 December 1968	22 August 1979
India		10 April 1979 <u>b/</u>
Iran	4 April 1968	24 June 1975
Iraq	18 February 1969	25 January 1971
Ireland	1 October 1973	
Israel	19 December 1966	
Italy <u>a/</u>	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>b/</u>
Lebanon		3 November 1972 <u>b/</u>
Liberia	18 April 1967	
Libyan Arab Jamahiriya		15 May 1970 <u>b/</u>
Luxembourg	26 November 1974	
Madagascar	17 September 1969	21 June 1971
Mali		16 July 1974 <u>b/</u>
Mauritius		12 December 1973 <u>b/</u>
Mexico		23 March 1981 <u>b/</u>
Mongolia	5 June 1968	18 November 1974
Morocco	19 January 1977	3 May 1979
Netherlands <u>a/</u>	25 June 1969	11 December 1978
New Zealand <u>a/</u>	12 November 1968	28 December 1978
Nicaragua		12 March 1980 <u>b/</u>
Norway <u>a/</u>	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

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Romania	27 June 1968	9 December 1974
Rwanda		16 April 1975 <u>b/</u>
Saint Vincent and the Grenadines		9 November 1981 <u>b/</u>
Senegal <u>a/</u>	6 July 1970	13 February 1978
Spain	28 September 1976	27 April 1977
Sri Lanka <u>a/</u>		11 June 1980 <u>b/</u>
Suriname		28 December 1976 <u>b/</u>
Sweden <u>a/</u>	29 September 1967	6 December 1971
Syrian Arab Republic		21 April 1969 <u>b/</u>
Trinidad and Tobago		21 December 1978 <u>b/</u>
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 <u>a/</u>	16 September 1968	20 May 1976
United Republic of Tanzania		11 June 1976 <u>b/</u>
United States of America	5 October 1977	
Uruguay	21 February 1967	1 April 1970
Venezuela	24 June 1969	10 May 1978
Viet Nam		24 September 1982 <u>b/</u>
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 <u>b/</u>

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a/ Made the declaration under art. 41 of the Covenant.

b/ Accession.

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 <u>a/</u>
Bolivia		12 August 1982 <u>a/</u>
Canada		19 May 1976 <u>a/</u>
Central African Republic		8 May 1981 <u>a/</u>
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 <u>a/</u>
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		11 August 1979 <u>a/</u>
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 <u>a/</u>
Netherlands	25 June 1969	11 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	3 October 1980

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a/ Accession.

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Portugal	1 August 1978	
Philippines	19 December 1966	
Saint Vincent and the Grenadines		9 November 1981 <u>a/</u>
Senegal	6 July 1970	13 February 1978
Suriname		28 December 1976 <u>a/</u>
Sweden	29 September 1967	6 December 1971
Trinidad and Tobago		14 November 1980 <u>a/</u>
Uruguay	21 February 1967	1 April 1970
Venezuela	15 November 1976	10 May 1978
Zaire		1 November 1976 <u>a/</u>

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a/ Idem.