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COMMISSION ON HUMAN RIGHTS  
Fifty-eighth session  
Agenda item 17 (a)

**PROMOTION AND PROTECTION OF HUMAN RIGHTS: STATUS  
OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS**

**Afghanistan\*, Albania\*, Australia\*, Austria, Belgium, Bulgaria\*, Canada,  
Chile, Croatia, Cyprus\*, Czech Republic, Denmark\*, Finland\*, Georgia\*,  
Germany, Greece\*, Guatemala, Iceland\*, Ireland\*, Italy, Latvia\*,  
Lithuania\*, Luxembourg\*, Malta\*, Netherlands\*, New Zealand\*, Norway\*,  
Panama\*, Poland, Portugal, Republic of Moldova\*, Romania\*, Slovakia\*,  
Slovenia\*, Spain, Sweden, The former Yugoslav Republic of Macedonia\*,  
Ukraine\*: draft resolution**

**2002/... Status of the International Covenants on Human Rights**

*The Commission on Human Rights,*

*Recalling* General Assembly resolution 56/144 of 19 December 2001 and its own  
resolution 2000/67 of 19 April 2000,

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

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

*Having considered* the reports of the Secretary-General on the status of the International Covenants on Human Rights (E/CN.4/2002/101),

*Recalling* the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promotion and protection of the other rights,

*Recognizing* the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by States parties in fulfilling the obligations undertaken in the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights and in providing recommendations to States parties on their implementation,

*Recognizing also* the importance of regional human rights instruments and monitoring mechanisms in complementing the universal system of promotion and protection of human rights,

*Considering* that the effective functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights is indispensable for the full and effective implementation of the International Covenants on Human Rights,

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. *Welcomes* the initiative of the Secretary-General at the Millennium Summit to invite heads of State and Government to sign and ratify the International Covenants on Human Rights and expresses its deep appreciation to those States that have done so;
3. *Appeals strongly* to 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 accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in article 41 of that Covenant;

4. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of technical cooperation and advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights with a view to achieving universal adherence;

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

6. *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 under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed;

7. *Acknowledges* the important contributions of the Human Rights Committee and the Committee on Economic, Social and Cultural rights towards furthering the interpretation of the rights in the Covenants;

8. *Takes note*, therefore, of General Comment No. 29 of the Human Rights Committee concerning derogation from certain obligations under the International Covenant on Civil and Political Rights in times of emergency which threatens the life of a nation and of General Comment No. 14 of the Committee on Economic, Social and Cultural Rights on the right to the highest attainable standard of health;

9. *Encourages* States parties to limit the extent of any limitations that they lodge to the International Covenants on Human Rights, to review any reservations with a view to withdrawing them, to formulate any 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;

10. *Urges* States parties to fulfil in a timely manner such reporting obligations under the International Covenants on Human Rights as may be requested and to make use of gender-disaggregated data in their reports and stresses the importance of taking fully into

account a gender perspective in the implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and all other treaty bodies;

11. *Calls upon* States parties that have not yet submitted core documents to the Office of the United Nations High Commissioner for Human Rights to do so, and invites all States parties regularly to review and update their core documents;

12. *Urges* States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, 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, as well as the views adopted by the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights, and stresses the need for more effective follow-up to the concluding observations;

13. *Invites* States parties to give particular attention to the 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 by reports by the Committees and the recommendations and observations made by the Committees after the examination of those reports;

14. *Once again 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 Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

15. *Encourages* each State party to translate, publish and make widely available in its territory by appropriate means the full text of the concluding observations made on its reports to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

16. *Invites* the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, when considering the reports of States parties, to continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the advisory services and technical assistance programme of the United Nations High Commissioner for Human Rights;

17. *Stresses* the need for improved coordination between relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, and encourages continued effort in this direction;

18. *Welcomes* the decision by the General Assembly to endorse the request by the Human Rights Committee to hold an additional week of meetings in Geneva in 2002 in order further to reduce the existing backlog;

19. *Welcomes* the efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve the efficiency of their working methods, encourages them to consider further ways and means to that end and takes note of the adoption by the Human Rights Committee of its revised rules of procedure;

20. *Expresses its appreciation* for the decision of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to organize consultations also in 2002 between the committees and States parties to exchange ideas, inter alia on how to render the working methods of the committees more efficient, and encourages all States parties to continue to contribute to this dialogue with practical and concrete proposals on ways to improve the effective functioning of the committees;

21. *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 human rights questions to respect those uniform standards, as expressed in the general comments of the Committees;

22. *Welcomes in particular* the first inter-Committee meeting of the treaty-monitoring bodies, to be held from 26 to 28 June 2002 following the fourteenth meeting of chairpersons of the human rights treaty bodies, which will address the subject of the methods of work of treaty bodies relating to the State reporting process;

23. *Takes note with appreciation* of Economic and Social Council decision 2001/220 of 4 June 2001, in which the Council authorized the appointment by the Commission on Human Rights of an independent expert to examine the question of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights and takes note of the recommendations of the independent expert in his report to the Commission (E/CN.4/2002/57);

24. *Stresses* the desirability of further considering the issue of justiciability of the rights set forth in the International Covenant on Economic, Social and Cultural Rights as well as the need for further efforts towards developing indicators and benchmarks in order to strengthen progressively the full realization and enjoyment of these rights;

25. *Encourages* the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the preparation of their reports, including by convening seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports and by exploring other possibilities available under the regular programme of advisory services and technical cooperation in the field of human rights;

26. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates, including by the provision of adequate Secretariat staff resources;

27. *Requests* the Secretary-General to submit to the Commission on Human Rights, at its fifty-ninth and sixtieth sessions, 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;

28. *Decides* to consider this question at its sixtieth session under the agenda item entitled "Status of the International Covenants on Human Rights".

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