

standards of life in larger freedom and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming the Universal Declaration of Human Rights,² the International Covenant on Civil and Political Rights,²⁰ the International Covenant on Economic, Social and Cultural Rights²⁰ and the Declaration on Social Progress and Development,⁸⁰

Recalling that in the preambles to the International Covenants on Human Rights²⁰ it is recognized that the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby persons may enjoy their economic, social and cultural rights as well as their civil and political rights,

Recalling its resolutions 40/114 of 13 December 1985, 41/117 of 4 December 1986 and 42/102 of 7 December 1987,

Reaffirming the provisions of its resolution 32/130 of 16 December 1977 that all human rights and fundamental freedoms are indivisible and interdependent and that the promotion and protection of one category of rights can never exempt or excuse States from the promotion and protection of the other rights,

Convinced that equal attention and urgent consideration should be given to the implementation, promotion and protection of economic, social, cultural, civil and political rights,

Desirous of removing all obstacles to the full realization of human rights, in particular colonialism, neo-colonialism, racism, racial discrimination in all its forms, *apartheid*, foreign intervention, occupation, aggression and domination,

Recognizing the fundamental rights of every people to exercise full sovereignty over its natural wealth and resources,

Reaffirming that there is a close and multidimensional relationship between disarmament and development, that progress in disarmament would considerably promote progress in development and that resources released through disarmament measures could contribute to the economic and social development and well-being of all peoples, in particular those of the developing countries,

Recognizing that the realization of the right to development may help to promote the enjoyment of all human rights and fundamental freedoms,

Recalling Commission on Human Rights resolutions 1985/42 of 14 March 1985,⁵⁹ 1986/15 of 10 March 1986,⁶⁰ 1987/19 and 1987/20 of 10 March 1987⁶¹ and 1988/22 and 1988/23 of 7 March 1988,²⁷ in which the Commission stated that the implementation, promotion and protection of economic, social and cultural rights have not received sufficient attention within the framework of the United Nations system,

Requesting the Secretary-General to enhance his efforts under the programme of advisory services to States in the implementation, promotion and protection of the human rights and fundamental freedoms set forth in the International Covenants on Human Rights and other United Nations instruments in the field of human rights,

1. *Notes* the essential importance of national efforts and international co-operation to achieve the full and effective realization of all human rights recognized in the International Covenants on Human Rights and other international instruments;

2. *Appeals* to all States to pursue policies directed towards the implementation, promotion and protection of economic, social, cultural, civil and political rights recognized in the International Covenants on Human Rights and other international instruments;

3. *Requests* the Commission on Human Rights to give more attention to the realization of economic, social and cultural rights under the relevant agenda items;

4. *Urges* the Secretary-General to take determined steps, within existing resources, to give publicity to the Human Rights Committee and to the Committee on Economic, Social and Cultural Rights and to ensure that they receive full administrative support in order to enable them to discharge their functions effectively;

5. *Affirms* the importance and relevance, to programmes and activities being undertaken throughout the United Nations system in the field of human rights, of reports submitted by States parties to the International Covenants on Human Rights to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

6. *Decides* to consider the question of the indivisibility and interdependence of economic, social, cultural, civil and political rights at its forty-fourth session under the item entitled "International Covenants on Human Rights".

*75th plenary meeting
8 December 1988*

43/114. International Covenants on Human Rights

The General Assembly,

Recalling its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980, 36/58 of 25 November 1981, 37/191 of 18 December 1982, 38/116 and 38/117 of 16 December 1983, 39/136 and 39/138 of 14 December 1984, 40/115 and 40/116 of 13 December 1985, 41/32 of 3 November 1986, 41/119 and 41/121 of 4 December 1986 and 42/103 and 42/105 of 7 December 1987,

Taking note of the report of the Secretary-General 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,⁸²

Recalling the International Covenant on Economic, Social and Cultural Rights²⁰ and the International Covenant on Civil and Political Rights,²⁰ and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other,

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,²⁰

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

⁸² A/43/518.

Bearing in mind the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee⁸³ and the report of the Committee on Economic, Social and Cultural Rights on its second session,⁸⁴

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenants on Human Rights,

Taking note with appreciation of the results of the meeting of persons chairing human rights treaty bodies, held at Geneva from 10 to 14 October 1988,⁸⁵

Bearing in mind that 1988 marks the fortieth anniversary of the Universal Declaration of Human Rights,²

1. *Takes note with appreciation* of the report of the Human Rights Committee on its thirty-first, thirty-second and thirty-third sessions,⁸³ including the suggestions and recommendations of a general nature approved by the Committee;

2. *Also takes note with appreciation* of the report of the Committee on Economic, Social and Cultural Rights, including its suggestions and recommendations;

3. *Expresses its satisfaction* with the serious and constructive manner in which both Committees are carrying out their function;

4. *Expresses its appreciation* to the States parties to the International Covenant on Civil and Political Rights that have submitted their reports to the Human Rights Committee under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports as speedily as possible;

5. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

6. *Commends* 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 urges States parties that have not yet done so to submit their reports as soon as possible;

7. *Notes with satisfaction* that the majority of States parties to the International Covenant on Civil and Political Rights and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights have been represented by experts in the presentation of their reports, thereby assisting the respective monitoring bodies in their work, and hopes that all States parties to both Covenants will arrange such representation in the future;

8. *Again urges* 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, and to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

9. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

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

11. *Calls upon* all States parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to adhere fully to these two Covenants and to all the rights and principles contained therein;

12. *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 and appropriateness of measures taken in these circumstances can be assessed;

13. *Appeals* to States parties to the Covenants that have exercised their sovereign right to make reservations in accordance with relevant rules of international law to consider whether any such reservation should be reviewed;

14. *Urges* States parties to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights;

15. *Urges* States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and co-operation to the Committee on Economic, Social and Cultural Rights;

16. *Requests* the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, 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, the Committee against Torture and, where appropriate, other functional commissions of the Economic and Social Council and the specialized agencies, and also to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to those bodies;

17. *Requests* the Secretary-General to submit to the General Assembly at its forty-fourth 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 Protocol to the International Covenant on Civil and Political Rights;

18. *Also requests* the Secretary-General, within existing resources, to ensure that the Human Rights Committee and the Committee on Economic, Social and Cultural Rights are able to hold the necessary sessions and are provided with administrative support and summary records;

19. *Further requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates;

⁸³Official Records of the General Assembly, Forty-third Session, Supplement No. 40 (A/43/40).

⁸⁴Official Records of the Economic and Social Council, 1988, Supplement No. 4 (E/1988/14).

⁸⁵See HR1/MC/1988/CRP.1.

20. *Again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, within existing resources, to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

21. *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 Protocol to the International Covenant on Civil and Political Rights in as many languages as possible and to distribute them and make them known as widely as possible in their territories.

75th plenary meeting
8 December 1988

43/115. Reporting obligations of States parties to international instruments on human rights and effective functioning of bodies established pursuant to such instruments

The General Assembly,

Recalling its resolution 42/105 of 7 December 1987, taking note of Economic and Social Council resolution 1988/42 of 27 May 1988 and Commission on Human Rights resolution 1988/31 of 8 March 1988,²⁷ and recalling other relevant resolutions,

Affirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by 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,

Considering that the effective functioning of treaty bodies established pursuant to international instruments on human rights is indispensable for supervising the implementation of such instruments, including the consideration of periodic reports of States parties,

Aware of its responsibility with respect to the proper functioning of the bodies established to carry out specific functions regarding the implementation of instruments on human rights adopted by the General Assembly,

Reiterating the fundamental importance that it attaches to the fulfilment of reporting obligations under international instruments on human rights,

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 protection and promotion of human rights but also provides States parties with a valuable opportunity to review policies and programmes affecting the protection and promotion of human rights and to make any appropriate adjustments,

Expressing concern about the 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,

Recognizing the burden that coexisting reporting systems place upon Member States that are parties to various instruments, as well as upon the respective treaty bodies themselves, and noting that this burden will become more onerous for the United Nations and the States parties as additional instruments come into force,

Conscious that, in establishing additional treaty bodies, long-term problems both in terms of enhanced reporting obligations and of financial implications should be appropriately addressed,

Concerned that the problem of securing sufficient financial resources may increasingly hamper the proper functioning of treaty bodies, as noted with concern in the recent reports of five treaty bodies,

Reaffirming the importance of providing resources for all bodies supervising the implementation of international instruments on human rights, including sufficient financial resources to ensure the effective functioning of the treaty bodies,

Reaffirming the independent, expert character of the treaty bodies,

Taking note of the conclusions and recommendations of the meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988,⁸⁵

1. *Once again urges* States parties to international instruments on human rights with reports overdue to make every effort to present their reports as soon as possible and to take advantage of opportunities whereby such reports can be consolidated;

2. *Invites* States parties to international instruments on human rights to review the processes followed in the preparation of their periodic reports with a view to ensuring compliance with relevant guidelines, improving the quality of description and analysis and limiting reports to a reasonable length, taking due consideration of the relevant provisions of those instruments;

3. *Invites* States parties to international instruments on human rights to consider at their meetings further ways of streamlining and otherwise improving reporting procedures, as well as enhancing co-ordination and information flow between the treaty bodies and with relevant United Nations bodies, including the specialized agencies, and requests the Secretary-General to inform the General Assembly of any decisions of the States parties on these issues;

4. *Welcomes* the efforts of the treaty bodies to streamline and rationalize reporting procedures, particularly by extending the periodicity of reporting, improving the efficiency of work methods and harmonizing and simplifying reporting guidelines;

5. *Requests* the Secretary-General to consider, as a matter of priority, the finalization of the detailed reporting manual to assist States parties in the fulfilment of their reporting obligations and to allow each of the treaty bodies the opportunity to comment on the draft manual;

6. *Requests* the Secretary-General to prepare, as requested by the Committee on Economic, Social and Cultural Rights, a report showing the extent and nature of any overlapping of issues dealt with in the international human rights treaties, with a view to reducing, as appropriate, duplication in the supervisory bodies of issues raised with respect to any given State party;

7. *Requests* the Secretary-General to provide from official United Nations sources a compilation of statistics relevant to the consideration by the treaty bodies of the reports of States parties;

8. *Requests* the Secretary-General to strengthen co-ordination between the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat with reference to the implementation of human rights treaties and the servicing of treaty bodies;