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GENERAL

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COMMISSION ON HUMAN RIGHTS
Seventh session
Item 3 of the provisional agenda

DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS
AND MEASURES OF IMPLEMENTATION

Resolutions adopted at the fifth session of the
General Assembly and the twelfth session
of the Economic and Social Council

1. General Assembly resolution 421(V) of 4 December 1950 on the future work of
the Commission on Human Rights.

"The General Assembly,

"Appreciating the priority which, in accordance with General Assembly resolution 217 (III), the Commission on Human Rights during its 1949 and 1950 sessions gave to the preparation of a draft International Covenant on Human Rights and measures for its implementation,

"Noting the decision of the Economic and Social Council at its eleventh session to transmit the draft Covenant together with the relevant documentation and records of the discussion in the Council to the General Assembly at its fifth session for consideration with a view to reaching policy decisions on the points listed in Economic and Social Council resolution 303 (XI),

"Considering it essential that the Covenant should include provisions rendering it obligatory for States to promote the implementation of the human rights and fundamental freedoms proclaimed in the Covenant and to take the necessary steps, including legislation, to guarantee to everyone the real opportunity of enjoying those rights and freedoms,

"Having considered the draft Covenant prepared by the Commission on Human Rights, particularly with reference to certain basic policies,

/A. "1.
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A.

"1. Commends the Commission on Human Rights for the important work it has thus far accomplished;

"2. Calls upon the Economic and Social Council to request the Commission on Human Rights to continue to give priority in its work to the completion of the draft Covenant and measures for its implementation in order that the General Assembly may have before it at its sixth session the revised draft of this Covenant;

B.

"3. Considers:

(a) That the list of rights in the first eighteen articles of the draft Covenant does not contain certain of the most elementary rights;

(b) That the present wording of some of the first eighteen articles of the draft Covenant should be improved in order to protect more effectively the rights to which they refer;

(c) That in the drafting of the Covenant account should be taken of the Principles and Purposes of the Charter of the United Nations and that these Principles and Purposes should be consistently applied and assiduously protected;

"4. Calls upon the Economic and Social Council to request the Commission on Human Rights to take into consideration in its work of revision of the draft Covenant:

(i) The views expressed during the discussion of the draft Covenant at the fifth session of the General Assembly and at the eleventh session of the Economic and Social Council, including those relating to articles 13 and 14 of the draft Covenant and, with a view to the addition in the draft Covenant of other rights, those relating to the rights set forth by the Union of Soviet Socialist Republics in document A/C.3/L.96 and Yugoslavia in document A/C.3/L.92;

(ii) The view, expressed during the discussion of the draft Covenant at the fifth session of the General Assembly and at the eleventh session of the Economic and Social Council, that it is desirable

to define the rights set forth in the Covenant and the limitations thereto with the greatest possible precision;

C.

"5. Calls upon the Economic and Social Council to request the Commission on Human Rights to study a federal State article and to prepare, for the consideration of the General Assembly at its sixth session, recommendations which will have as their purpose the securing of the maximum extension of the Covenant to the constituent units of federal States, and the meeting of the constitutional problems of federal states;

D.

"6. Calls upon the Economic and Social Council to request the Commission on Human Rights to study ways and means which would ensure the right of peoples and nations to self-determination, and to prepare recommendations for consideration by the General Assembly at its sixth session;

E.

"Whereas the Covenant should be drawn up in the spirit and based on the principles of the Universal Declaration of Human Rights,

"Whereas the Universal Declaration regards man as a person, to whom civic and political freedoms as well as economic, social and cultural rights indubitably belong,

"Whereas the enjoyment of civic and political freedoms and of economic, social and cultural rights are interconnected and interdependent,

"Whereas, when deprived of economic, social and cultural rights, man does not represent the human person whom the Universal Declaration regards as the ideal of the free man,

"7. (a) Decides to include in the Covenant economic, social and cultural rights and an explicit recognition of equality of men and women in related rights, as set forth in the Charter of the United Nations;

(b) Calls upon the Economic and Social Council to request the Commission on Human Rights, in accordance with the spirit of the Universal Declaration to include in the draft Covenant a clear expression of economic, social and cultural rights in a manner which relates them to the civic and political freedoms proclaimed by the draft Covenant;

/(c) Calls upon

(c) Calls upon the Economic and Social Council to request the Commission on Human Rights to take such steps as are necessary to obtain the co-operation of other organs of the United Nations and of the specialized agencies in the consideration of such rights;

(d) Requests the Economic and Social Council to consider, at its twelfth session, the methods by which the specialized agencies might co-operate with the Commission on Human Rights with regard to economic, social and cultural rights;

F.

"8. Calls upon the Economic and Social Council to request the Commission on Human rights to proceed with the consideration of provisions, to be inserted in the draft Covenant or in separate protocols, for the receipt and examination of petitions from individuals and organizations with respect to alleged violations of the Covenant; and to take into consideration in its studies of questions relating to petitions and implementation the proposals presented by Chile (A/C.3/L.81), Ethiopia and France (A/C.3/L.78), Israel (A/C.3/L.91/Rev.1 and A/C.3/L.91/Rev.1/Corr.1) and Uruguay (A/C.3/L.93);

G.

"9. Calls upon the Economic and Social Council to request the Commission on Human Rights to report to the Economic and Social Council at its thirteenth session concerning the above matters;

H.

"10. Requests the Secretary-General to invite Member States to submit by 15 February 1951, their views concerning the draft Covenant as revised by the Commission on Human Rights at its sixth session, in order that the Commission may have such views before it during its further consideration of the draft Covenant at its seventh session.

2. General Assembly resolution 422(V) of 4 December 1950 on the territorial application of the International Covenant on Human Rights

"The General Assembly

"Requests the Commission on Human Rights to include the following article in the International Covenant on Human Rights:

/"Article

"Article

"The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan State and to all the territories, be they Non-Self-Governing, Trust, or Colonial Territories, which are being administered or governed by such metropolitan State."

3. Economic and Social Council resolution on the future work of the Commission on Human Rights adopted on 23 February 1951 (E/1927)

"The Economic and Social Council,

"Taking note of the resolutions of the General Assembly at its Fifth Session on the future work of the Commission on Human Rights (A/1620) and on the territorial application of the International Covenant on Human Rights (A/1622), both adopted on 4 December 1950,

"Considering the communications from the International Labour Organisation and from the United Nations Educational, Scientific and Cultural Organization (E/1880/Add.1 and E/1880/Add.7) concerning co-operation between the Commission on Human Rights and the specialized agencies with regard to economic, social and cultural rights,

"1. Transmits these resolutions to the Commission on Human Rights for appropriate action;

"2. Invites the Commission to take into consideration in its work on the draft covenant the records of the discussion at the twelfth session of the Council, the remarks or observations made by members of the Council and by representatives of specialized agencies, as well as the amendments to the draft covenant presented at that session;

"3. Invites such of the specialized agencies as feel directly concerned with the proposed economic, social and cultural rights to send representatives to the seventh session of the Commission on Human Rights to participate in the work of the Commission relating to economic, social and cultural rights;

"4. Calls upon the Commission to take such steps as are necessary in order to obtain the fullest co-operation of the specialized agencies in the consideration of economic, social and cultural rights, and to consider for this purpose the setting up of one or more joint working groups consisting of representatives of the Commission and of the interested specialized agencies, which will report to the Commission;

"5. Requests the Commission on Human Rights to prepare and submit to the Council at its thirteenth session a revised draft Covenant on the lines indicated by the General Assembly, together with a report upon the results of its work."