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COMMISSION ON HUMAN RIGHTS  
Eighth session  
Item 4 of the provisional agenda

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS  
AND MEASURES OF IMPLEMENTATION

Observations submitted by Member States on the proposed Covenant on  
Economic, Social and Cultural Rights in pursuance of resolution  
543 (VI) of the General Assembly

Denmark

(Note dated 14 March 1952)

The Permanent Representative of Denmark presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his note SOA 317/2/01(8) of 14 February 1952, to the Minister for Foreign Affairs concerning the two draft Covenants on Human Rights, and to forward the views and observations of the Danish Government in accordance with the terms of the General Assembly resolution of 5 February 1952.

In the opinion of the Danish Government, it will be most appropriate if the two conventions on Human Rights could be compiled by dividing up the draft adopted by the Human Rights Commission on its seventh session (see document E/1992, Annex 1) into two conventions.

The convention on the economic, social and cultural rights ought thus to comprise the following parts of the above-mentioned draft convention, adopted by the Human Rights Commission, namely Part III (art. 19-32), Part V (art. 60-69), probably with the addition of final comments similar to those contained in Part VI (art. 70-73).

With regard to the rights contained in Part III, it is desirable to keep the formulation of the articles as suggested in the existing draft, without attempting a more detailed formulation. With regard to the articles 19, 20, 21, 24, and 28 paragraph 9, reference is made to the Danish comments contained in document E/2059/Add.8.

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As far as the control and implementation provisions are concerned, the Danish Government is of the opinion that only the reporting system mentioned in Part V ought to be applied to the economic, social and cultural rights, since the provisions contained in Part IV concerning complaints with regard to violation are only applicable in connexion with rights which can be precisely defined, i.e. rights of a category comprising political freedom and rights. It further considers it inadvisable to burden Member States with too comprehensive obligations with regard to the submission of periodical reports. Thus, Governments ought not to be required to report on the same substance to different international organs.

With regard to the analyses and the final preparations of the incoming reports, the Danish Government feels that it is necessary to make sure that all overlapping is avoided. If any of the specialized agencies in conformity with their terms of reference is able to undertake the necessary preparations, their competence ought to be upheld unchallenged.

If it is considered necessary to establish new specific UN organs, the final preparation of the incoming reports, which these organs undertake, ought to be based on the work already performed within the framework of the specialized agencies.

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