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THIRD COMMITTEE
Agenda item 98

INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Algeria, Australia, Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Denmark, Ecuador, Finland, Hungary, Iceland, Italy, Netherlands, Norway, Peru, Philippines, Spain, Sweden, Union of Soviet Socialist Republics and United Kingdom of Great Britain and Northern Ireland: draft resolution

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, 42/103 and 42/105 of 7 December 1987 and 43/114 of 8 December 1988 and the general comments adopted by the Human Rights Committee under article 40, paragraph 4, of the International Covenant on Civil and Political Rights at its 89. st meeting, on 5 April 1989, 1/

Mindful that the International Covenants on Human Rights 2/ 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, 3/ form the core of the International Bill of Human Rights,

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 40 (A/44/40), annex VI.

2/ See resolution 2200 A (XXI), annex.

3/ Resolution 217 A (III).

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, 4/

Recalling the International Covenant on Economic, Social and Cultural Rights 2/ and the International Covenant on Civil and Political Rights, 2/ 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, 2/

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,

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 Committee 5/ and the report of the Committee on Economic, Social and Cultural Rights on its third session, 6/

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 from the meeting of persons chairing human rights treaty bodies, held at Geneva from 10 to 14 October 1988, 7/

4/ A/44/441.

5/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 40 (A/44/40).

6/ Official Records of the Economic and Social Council, 1989, Supplement No. 4 (E/1989/22).

7/ See HRI/MC/1988/CRP.1.

1. Takes note with appreciation of the report of the Human Rights Committee on its thirty-fourth, thirty-fifth and thirty-sixth sessions, 5/ 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 on its third session, 6/ 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. Urges States parties to the International Covenants on Human Rights to pay active attention to the protection and promotion of civil and political rights as well as economic, social and cultural rights;
5. 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;
6. 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;
7. 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;
8. 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;
9. 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;
10. 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;
11. 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;

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 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;

15. 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;

16. 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;

17. 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;

18. 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;

19. 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;

20. Requests the Secretary-General to submit to the General Assembly at its forty-fifth session under the agenda item entitled "International Covenants on Human Rights" 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.
