

submitted biennially rather than annually. For example, reports might be submitted on social issues (articles 2, 6 and 7) during the first two years; on family issues (articles 10, 11 and 12) in the second two-year period; and on cultural issues (articles 13, 14 and 15) in the third two-year period. Such a programme would facilitate the implementation of the Covenant without overburdening States parties, the Council or other bodies with the preparation of reports. The proposed reporting programme could replace the existing system under which Member States submitted periodic reports to United Nations organs, including the Commission on Human Rights, on economic, social and cultural rights. A similar procedure might be adopted in respect of the International Covenant on Civil and Political Rights.

15. With regard to the proposal contained in paragraph 27 (vi) of document E/5764, his delegation considered that since the Commission on Human Rights was already overburdened, the submission of reports to that body would further delay its work and would not be an effective method of promoting the implementation of the Covenant. The best arrangement would be to submit reports to the Economic and Social Council in accordance with the provisions of articles 16 and 19 and other articles of the Covenant.

16. He shared the view expressed by the representative of the Federal Republic of Germany that the Covenant did not contain specific provisions concerning the role of the specialized agencies, and he emphasized the importance of adhering to the spirit and letter of the Covenant in that respect.

17. Mr. SCHREIBER (Director, Division of Human Rights) agreed that article 16 of the Covenant clearly laid down that the responsibility for considering reports lay with the Economic and Social Council. That was not only a matter of jurisdiction but also a responsibility to ensure that the reports received would be examined in depth and appropriate measures would be recommended to ensure the realization of the objectives of the Covenant. Since the consideration of reports was essentially a technical task, it might be appropriate to establish a group of experts to study them. As suggested, that might be done at the level of the Council or that of the Commission.

18. The Commission on Human Rights had declared its readiness to assist the Council in that regard and had examined various possibilities. One of them was that, in view of its heavy workload, it might be advisable to convene an additional short session of the Commission for the purpose of assisting the Council under article 16 of the Covenant. The members of the Council would have to decide on the course of action to be followed.

19. With regard to the second point raised by the representative of the Federal Republic of Germany, he agreed that article 16 did not specifically define the role of the specialized agencies with regard to reports submitted by States parties to the Covenant which they were entitled to receive. However, it might be recalled that the specialized agencies had participated actively in the drafting of the Covenant, and their active participation in its implementation was always welcomed. Their study of reports submitted by Governments would provide the Council with the benefit of their expertise in their own fields.

20. Mr. BROAD (United Kingdom) said that article 20 provided clarification of the role of the specialized agencies. It was stated therein that they should submit comments to the Economic and Social Council after the reports had been considered by the Commission on Human Rights. Consequently, any suggestion that they should study the reports and submit comments prior to the deliberations in the Commission on Human Rights would give those agencies a more important role than was envisaged in the Covenant.

#### *Organization of work*

21. Mr. BROAD (United Kingdom), supported by Miss CAO-PINNA (Italy), proposed that an open-ended working group should be established with a view to preparing a draft resolution concerning arrangements for the implementation of the Covenant.

22. The PRESIDENT urged delegations to arrange consultations with a view to submitting a draft resolution on the item under consideration at the earliest possible date.

*The meeting rose at 4.45 p.m.*

## 1988th meeting

Wednesday, 21 April 1976, at 3.35 p.m.

President: Mr. Siméon AKE (Ivory Coast).

E/SR.1988

### AGENDA ITEM 4

#### **Procedures for the implementation of the International Covenant on Economic, Social and Cultural Rights (*continued*) (E/5764)**

1. The PRESIDENT said that a number of delegations had urged that an informal exchange of views should be arranged on the item under discussion. If the Council agreed, he would adjourn the meeting after the statement by the speakers on his list so that the informal discussions could take place immediately.

*It was so decided.*

2. Mr. BARCELO (Mexico) described his country's long-standing interest in the International Covenant on Economic, Social and Cultural Rights and pointed out that the rights included in the new Covenant had been recognized in the Mexican Constitution for 50 years. The dramatic changes that had taken place within the international community in the previous decade had led his Government to make a careful review of possible discrepancies between the prevailing international situation and the Covenant. In the light of its findings on the subject, his Government might suggest amendments or additions with a view to making the Covenant more

consistent with the economic and social realities of the contemporary world.

3. As in the past, his delegation would participate actively in the work of the Economic and Social Council relating to the implementation of the Covenant and in the efforts to secure ratification by the largest possible number of nations.

4. Mr. KANE (International Labour Office) said that for many years the ILO had been active at many levels in consultations relating to the Covenant and in the preparation of the text, particularly articles 6, 7 and 8. The ILO attached great significance to the Covenant and it intended to continue to co-operate with the United Nations and the Economic and Social Council in the implementation of the Covenant. His organization fully endorsed the report before the Council (E/5764) and would take all institutional and financial steps necessary for the fulfilment of any tasks that might be entrusted to it.

5. He had been surprised by the statements made in the Council by the representatives of the Federal Republic of Germany and the Union of Soviet Socialist Republics in which they had questioned the propriety of seeking comments and recommendations from the specialized agencies on reports submitted by States parties to the Covenant. Within the ILO Governing Body and at the annual Conference representatives of those countries had urged that the ILO should be actively involved in the implementation of the Covenant.

6. While it was true that article 16 contained no reference to comments by specialized agencies, he considered it logical that that article, particularly paragraph 2 (b), should be read in conjunction with other articles, particularly 18, 19 and 20, which referred to reports, recommendations and comments by the specialized agencies. He drew attention also to article 17, paragraph 3, which stated that relevant information previously furnished to the United Nations or to any specialized agency by any State party to the Covenant need not be reproduced fully. That provision meant

that the Council might in some instances receive reports, not directly from States, but from the ILO or other specialized agencies.

7. It was essential to keep in mind the need for co-operation between United Nations organs and the specialized agencies. He stressed the high degree of competence of UNESCO, WHO and the ILO in the fields of education, health and labour. The specialized agencies were, as always, ready to co-operate fully with the Council.

8. Mr. WILDER (Canada) said that, after the many years of effort in drafting the International Covenant on Economic, Social and Cultural Rights, the Economic and Social Council would have to live up to its trust of implementing the Covenant through the establishment of effective machinery. He noted that the submission of reports by States parties was envisaged in the Covenant as the principal means of evaluating its implementation. He urged that the experience of the Committee on the Elimination of Racial Discrimination should be carefully considered; its use of a committee of experts might well be emulated by the Council.

9. The suggestion that, under article 19 of the Covenant, the Commission on Human Rights should examine the reports of States parties would be acceptable to Canada if sufficient resources were provided for the already overburdened Commission. The Commission should, if designated, be directed to establish a subgroup for the purpose. His delegation was prepared to support a proposal for the establishment of a subgroup of either the Economic and Social Council or the Commission on Human Rights, although its preference would be for a subgroup of the Commission, which might embody greater expertise and to which Governments should be urged to send experts on the subjects covered.

10. His delegation reserved its right to comment at a later stage on the timing of reports and the involvement of the specialized agencies.

*The meeting rose at 4 p.m.*

## 1989th meeting

Thursday, 22 April 1976, at 3.35 p.m.

President: Mr. Siméon AKE (Ivory Coast).

E/SR.1989

### AGENDA ITEM 3

#### Decade for Action to Combat Racism and Racial Discrimination (E/5759 and Add.1, E/5760 and Add.1, E/5763, E/5799)

1. The PRESIDENT appealed to delegations to co-operate in ensuring that the debate on the item under consideration took place in the calm atmosphere which was characteristic of the deliberations in the Council and to hold constructive consultations with a view to solving differences of opinion.

2. Mr. SCHREIBER (Director, Division of Human Rights) recalled that the struggle against racism and racial discrimination had been in the forefront of the preoccupations of the United Nations since its very

establishment. The Organization seemed genuinely determined to give a definite and, if possible, final blow to that scourge of the day. The admission of the newly independent African States to membership in the United Nations had accelerated the movement and had led to the adoption by the General Assembly first of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (resolution 1904 (XVIII)), then of the International Convention on the Elimination of All Forms of Racial Discrimination (resolution 2106 A (XX)), and further to the decision to launch the Decade for Action to Combat Racism and Racial Discrimination (resolution 2919 (XXVII)). He emphasized the impact the Convention had had and the fruitful co-operation which had developed between the Committee on the Elimination of Racial Discrimination