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Agenda item 65

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Report of the Third Committee

Rapporteur: Mr. R. St. John MACDONALD (Canada)

1. At its 1336th plenary meeting, on 24 September 1965, the General Assembly allocated to the Third Committee, for consideration and report, agenda item 65, entitled "Draft International Covenants on Human Rights".
2. The draft Covenant on Economic, Social and Cultural Rights and the draft Covenant on Civil and Political Rights have been under consideration by the General Assembly since its ninth session. During the tenth to eighteenth sessions of the General Assembly the Third Committee adopted the preamble and all of the general and substantive articles of the draft Covenants. After completing this work, at the eighteenth session, the Committee held a general debate on measures of implementation. The General Assembly, upon the recommendation of the Third Committee, decided, inter alia, in resolution 1960 (XVIII) to invite Member States to consider the articles of the draft Covenants already adopted by the Third Committee and the measures of implementation and the final clauses elaborated by the Commission, in order to be in a position to decide on the measures of implementation and on the final clauses of the Covenants.
3. The Committee considered this item at its 1370th and 1374th meetings, on 10 and 15 December 1965. It had before it a note by the Secretary-General (A/5929), an explanatory paper on measures of implementation prepared by the Secretary-General and the comments thereon received from Member Governments (A/5411 and Add.1 and 2), and observations submitted by Governments (A/5702 and Add.1) in response to General Assembly resolution 1960 (XVIII).

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4. Amendments were submitted by Brazil (A/C.3/L.1246) and the United Kingdom of Great Britain and Northern Ireland (A/C.3/L.1247) to the measures of implementation of the draft Covenant on Economic, Social and Cultural Rights; by Brazil (A/C.3/L.1256, A/C.3/L.1257, A/C.3/L.1259) and Saudi Arabia (A/C.3/L.1267) to the measures of implementation of the draft Covenant on Civil and Political Rights; and by Brazil (A/C.3/L.1248) and the United Kingdom (A/C.3/L.1260) to the final clauses of both Covenants. The United Kingdom also resubmitted a proposal on reservations to be included in both draft Covenants (A/C.3/L.1261).
5. Greece and Japan submitted a draft resolution which, as subsequently revised (A/C.3/L.1321/Rev.1) in the light of the discussions, read as follows:

"The General Assembly

Considering that the Third Committee, due to lack of time, has not been able to consider the draft International Covenants on Human Rights at the present session,

Noting Economic and Social Council resolution 1075 (XXXIX) on organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights,

1. Decides to defer the further consideration of the draft International Covenants on Human Rights to its twenty-first session;

2. Invites Member Governments to consider the measures of implementation and the final clauses of the draft International Covenants on Human Rights prepared by the Commission on Human Rights in the light of the provisions on these matters which may be incorporated in the Convention on the Elimination of All Forms of Racial Discrimination with the explanatory paper 1/ prepared by the Secretary-General and the observations received from Governments 2/ in accordance with resolution 1960 (XVIII) so that at the twenty-first session of the General Assembly Member Governments will be in a position to complete the preparation of the draft International Covenants on Human Rights."

6. At the 1374th meeting, on 15 December, the representative of Iran proposed an oral amendment to the revised draft resolution to replace, in the first preambular paragraph, the words "due to lack of time" by "due to its heavy agenda". The representative of Ghana proposed the deletion in paragraph 2 of the words "in the

1/ Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 43, document A/5411.

2/ A/5702 and Add.1.

light of the provisions on these matters which may be incorporated in the Convention on the Elimination of All Forms of Racial Discrimination with". The amendments of Iran and Ghana were accepted by the sponsors of the revised draft resolution.

7. The revised draft resolution, as amended, was unanimously adopted by the Committee at its 1374th meeting on 15 December.

RECOMMENDATION OF THE THIRD COMMITTEE

8. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

Draft International Covenants on Human Rights

The General Assembly,

Considering that the Third Committee, owing to its heavy agenda, has not been able to consider the draft International Covenants on Human Rights at the present session,

Noting Economic and Social Council resolution 1075 (XXXIX) of 28 July 1965 on organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights,

1. Decides to defer the further consideration of the draft International Covenants on Human Rights to its twenty-first session;

2. Invites Governments of Member States to consider the measures of implementation and the final clauses of the draft International Covenants on Human Rights prepared by the Commission on Human Rights, the explanatory paper prepared by the Secretary-General^{3/} and the observations received from Governments in accordance with resolution 1960 (XVIII),^{4/} so that at the twenty-first session of the General Assembly Member States will be in a position to complete the preparation of the draft International Covenants on Human Rights.

^{3/} Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 48, document A/5411.

^{4/} A/5702 and Add.1.