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INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights

Report of the Secretary-General

1. The General Assembly, by its resolution 2200 A (XXI) of 16 December 1966, adopted and opened for signature, ratification or accession 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, and expressed the hope that the Covenants and the Optional Protocol would be signed, ratified or acceded to without delay and would come into force at an early date. The Assembly also requested the Secretary-General to submit to it at its future sessions reports concerning the status of ratifications of the Covenants and of the Optional Protocol. In response to that request, reports on the status of the International Covenants and the Optional Protocol have been submitted annually to the Assembly since its twenty-second session in 1967.

2. Both Covenants and the Optional Protocol were opened for signature at New York on 19 December 1966. In accordance with their respective provisions, 1/ the International Covenant on Economic, Social and Cultural Rights entered into force on 3 January 1976, the International Covenant on Civil and Political Rights entered into force on 23 March 1976, and the Optional Protocol to the International Covenant on Civil and Political Rights, having received the required number of ratifications or accessions, entered into force simultaneously with that Covenant on 23 March 1976.

* A/45/150 and Corr.1.

3. By its resolution 43/114 of 8 December 1988, the General Assembly, inter alia, again urged all States that had not yet done so to become parties to both Covenants, as well as to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights; invited 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 and appealed to States parties to review whether any reservation made in respect of the provisions of both Covenants should be upheld. The Assembly also requested the Secretary-General to submit to it at its forty-fourth session a report on the status of the Covenants and the Optional Protocol.

4. As at 1 August 1990, the International Covenant on Economic, Social and Cultural Rights had been ratified or acceded to by 97 States, the International Covenant on Civil and Political Rights had been ratified or acceded to by 92 States and the Optional Protocol to the International Covenant on Civil and Political Rights had been ratified or acceded to by 50 States. In addition, five States had signed the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and five States had signed the Optional Protocol. The list of States which have signed, ratified or acceded to the Covenants and the Optional Protocol and the dates of their signatures, ratifications or accessions appear in annexes I to III of the present report.

5. The General Assembly, by its resolution 44/128 of 15 December 1989, adopted and opened for signature, ratification and accession the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty, and called upon all Governments in a position to do so to consider signing and ratifying or acceding to the Second Optional Protocol.

6. The Second Optional Protocol was opened for signature at New York on 15 December 1989. As at 1 August 1990, it had been signed by 18 States parties, two of which had also ratified the Second Optional Protocol. The list of States that have signed or ratified the Second Optional Protocol, as well as the dates of their signature and ratification, is contained in annex IV of the present report.

7. Upon ratification of the International Covenant on Civil and Political Rights, or subsequently, the Governments of Algeria, Argentina, Austria, Belgium, Canada, Congo, Denmark, Ireland, Italy, Luxembourg, the Netherlands, New Zealand, Norway, Peru, the Philippines, the Republic of Korea, Senegal, Spain, Sri Lanka, Sweden, and the United Kingdom of Great Britain and Northern Ireland made the declaration provided for in article 41 of the Covenant, recognizing the competence of the Human Rights Committee established under article 28 of the Covenant to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant. The provisions of article 41 entered into force on 28 March 1979 in accordance with paragraph 2 of that article.

8. As regards the implementation of the International Covenant on Economic, Social and Cultural Rights, the Committee on Economic, Social and Cultural Rights, established in accordance with Economic and Social Council resolution 1985/17 of 28 May 1985, held its fourth session at the United Nations Office at Geneva from

15 January to 2 February 1990. It submitted a report to the Economic and Social Council at its first regular session of 1990, 2/ in which it made suggestions and recommendations concerning issues arising from the consideration of reports submitted by States parties to the Covenant.

9. By its resolution 1990/43 of 25 May 1990, the Economic and Social Council, inter alia, took note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its fourth session, and decided to transmit the report of the Committee to the General Assembly at its forty-fifth session for consideration under the agenda item entitled "International Covenants on Human Rights".

10. As regards the implementation of the International Covenant on Civil and Political Rights, the Human Rights Committee held its thirty-seventh session at the United Nations Office at Geneva from 23 October to 10 November 1989, its thirty-eighth session at United Nations Headquarters from 19 March to 6 April 1990, and its thirty-ninth session at the United Nations Office at Geneva from 9 to 27 July 1990. In accordance with article 45 of the Covenant and article 6 of the Optional Protocol, the Committee has submitted its annual report to the General Assembly at its forty-fifth session, 3/ which covers the activities of the Committee at its thirty-seventh, thirty-eighth and thirty-ninth sessions.

Notes

1/ Article 27 of the International Covenant on Economic, Social and Cultural Rights, article 49 of the International Covenant on Civil and Political Rights and article 9 of the Optional Protocol.

2/ Official Records of the Economic and Social Council, 1990, Supplement No. 4 (E/1990/23).

3/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 40 (A/45/40).

ANNEX I

List of States which have signed, ratified or acceded
to the International Covenant on Economic, Social and
Cultural Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Afghanistan		24 January 1983 a/
Algeria	10 December 1968	12 September 1989
Argentina	19 February 1968	8 August 1986
Australia	18 December 1972	10 December 1975
Austria	10 December 1973	10 September 1978
Barbados		5 January 1973 a/
Belgium	10 December 1968	21 April 1983
Bolivia		12 August 1982 a/
Bulgaria	8 October 1968	21 September 1970
Burundi		9 May 1990 a/
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Cambodia	17 October 1980	
Cameroon		27 June 1984 a/
Canada		19 May 1976 a/
Central African Republic		8 May 1981 a/
Chile	16 September 1969	10 February 1972
China b/		
Colombia	21 December 1966	29 October 1969
Congo		5 October 1983 a/
Costa Rica	19 December 1966	29 November 1968
Cyprus	9 January 1967	2 April 1969
Czech and Slovak Federal Republic	7 October 1968	12 December 1975
Democratic People's Republic of Korea		14 September 1981 a/
Democratic Yemen d/		9 February 1987 a/

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Date of receipt of the
instrument of ratification
or accession

<u>State</u>	<u>Date of signature</u>	
Denmark	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 a/
Ecuador	29 September 1967	6 March 1969
Egypt	4 August 1967	14 January 1982
El Salvador	21 September 1967	30 November 1979
Equatorial Guinea		25 September 1987 a/
Finland	11 October 1967	19 August 1975
France		4 November 1980 a/
Gabon		21 January 1983 a/
Gambia		29 December 1978 a/
German Democratic Republic	27 March 1973	8 November 1973
Germany, Federal Republic of	9 October 1968	17 December 1973
Greece		16 May 1985 a/
Guatemala		19 May 1988 a/
Guinea	28 February 1967	24 January 1978
Guyana	22 August 1968	15 February 1977
Honduras	19 December 1966	17 February 1981 a/
Hungary	25 March 1969	17 January 1974
Iceland	30 December 1968	22 August 1979
India		10 April 1979 a/
Iran (Islamic Republic of)	4 April 1968	24 June 1975
Iraq	18 February 1969	25 January 1971
Ireland	1 October 1973	8 December 1989
Israel	19 December 1966	
Italy	18 January 1967	15 September 1978
Jamaica	19 December 1966	3 October 1975
Japan	30 May 1978	21 June 1979
Jordan	30 June 1972	28 May 1975
Kenya		1 May 1972 a/
Lebanon		3 November 1972 a/
Liberia	18 April 1967	

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Libyan Arab Jamahiriya		15 May 1970 a/
Luxembourg	26 November 1974	18 August 1983
Madagascar	14 April 1970	22 September 1971 a/
Mali		16 July 1974 a/
Malta	22 October 1968	
Mauritius		12 December 1973 a/
Mexico		23 March 1981 a/
Mongolia	5 June 1968	18 November 1974
Morocco	19 January 1977	3 May 1979
Netherlands	25 June 1969	11 December 1978
New Zealand	12 November 1968	28 December 1978
Nicaragua		12 March 1980 a/
Niger		7 March 1986 a/
Norway	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru	11 August 1977	28 April 1978
Philippines	19 December 1966	7 June 1974
Poland	2 March 1967	18 March 1977
Portugal	7 October 1976	31 July 1978
Republic of Korea		10 April 1990 a/
Romania	27 June 1968	9 December 1974
Rwanda		16 April 1975 a/
Saint Vincent and the Grenadines		9 November 1981 a/
San Marino		18 October 1985 a/
Senegal	6 July 1970	13 February 1978
Solomon Islands		17 March 1982 c/
Somalia		24 January 1990 a/
Spain	28 September 1976	27 April 1977
Sri Lanka		11 June 1980 a/
Sudan		18 March 1986 a/
Suriname		28 December 1976 a/

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Sweden	29 September 1967	6 December 1971
Syrian Arab Republic		21 April 1969 a/
Togo		24 May 1984 a/
Trinidad and Tobago		8 December 1978 a/
Tunisia	30 April 1968	18 March 1969
Uganda		21 January 1987 a/
Ukrainian Soviet Socialist Republic	20 March 1968	12 November 1973
Union of Soviet Socialist Republics	18 March 1968	16 October 1973
United Kingdom of Great Britain and Northern Ireland	16 September 1968	20 May 1976
United Republic of Tanzania		11 June 1976 a/
United States of America	5 October 1977	
Uruguay	21 February 1967	1 April 1970
Venezuela	24 June 1969	10 May 1978
Viet Nam		24 September 1982 a/
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 a/
Zambia		10 April 1984 a/

a/ Accession.

b/ Following on the adoption by the General Assembly of resolution 2758 (XXVI) of 25 October 1971 on the restoration of the lawful rights of the People's Republic of China in the United Nations, the Minister for Foreign Affairs of the People's Republic of China, by a note addressed to the Secretary-General, received on 29 September 1972, stated:

"1. With regard to the multilateral treaties signed, ratified or acceded to by the defunct Chinese government before the establishment of the People's Republic of China, my Government will examine all their contents before making

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a decision in the light of the circumstances as to whether or not they should be recognized.

"2. As from 1 October 1949, the day of the founding of the People's Republic of China, the Chiang Kai-Shek clique has no right at all to represent China. Its signature and ratification of, or accession to, any multilateral treaties by usurping the name of 'China' are all illegal and null and void. My Government will study these multilateral treaties before making a decision in the light of the circumstances as to whether or not they should be acceded to."

The lists in annexes I to III therefore do not include the signature of the two Covenants and the Optional Protocol on behalf of the "Republic of China" on 5 October 1967.

c/ Date of reception of notification of succession.

d/ In a communication dated 19 May 1990, the Ministers of Foreign Affairs of the Yemen Arab Republic and the People's Democratic Republic of Yemen informed the Secretary-General of the formation on 22 May 1990 of a single sovereign State called the "Republic of Yemen".

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ANNEX II

List of States which have signed, ratified or acceded to the
International Covenant on Civil and Political Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Afghanistan		24 January 1983 a/
Algeria	10 December 1968	12 September 1989
Argentina b/	19 February 1968	8 August 1986
Australia	18 December 1972	13 August 1980
Austria b/	10 December 1973	10 September 1978
Barbados		5 January 1973 a/
Belgium b/	10 December 1968	21 April 1983
Bolivia		12 August 1982 a/
Bulgaria	8 October 1968	12 September 1970
Burundi		9 May 1990 a/
Byelorussian Soviet Socialist Republic	19 March 1968	12 November 1973
Cambodia	17 October 1980	
Cameroon		27 June 1984 a/
Canada b/		19 May 1976 a/
Central African Republic		8 May 1981 a/
Chile	16 September 1969	10 February 1972
China c/		
Colombia	21 December 1966	29 October 1969
Congo b/		5 October 1983 a/
Costa Rica	19 December 1966	29 November 1968
Cyprus	19 December 1966	2 April 1969
Czech and Slovak Federal Republic	7 October 1968	23 December 1975
Democratic People's Republic of Korea		14 September 1981 a/
Democratic Yemen d/		9 February 1987 a/

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Denmark b/	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 a/
Ecuador b/	4 April 1968	6 March 1969
Egypt	4 August 1967	14 January 1982
El Salvador	21 September 1967	30 November 1979
Equatorial Guinea		25 September 1987 a/
Finland b/	11 October 1967	19 August 1975
France		4 November 1980 a/
Gabon		21 January 1983 a/
Gambia b/		22 March 1979 a/
German Democratic Republic	27 March 1973	8 November 1973
Germany, Federal Republic of b/	9 October 1968	17 December 1973
Guinea	28 February 1967	24 January 1978
Guyana	22 August 1968	15 February 1977
Honduras	19 December 1966	
Hungary b/	25 March 1969	17 January 1974
Iceland b/	30 December 1968	22 August 1979
India		10 April 1979 a/
Iran (Islamic Republic of)	4 April 1968	24 June 1975
Iraq	18 February 1969	25 January 1971
Ireland	1 October 1973	8 December 1989
Israel	19 December 1966	
Italy b/	18 January 1967	15 September 1978
Jamaica	19 December 1966	3 October 1975
Japan	30 May 1978	21 June 1979
Jordan	30 June 1972	28 May 1975
Kenya		1 May 1972 a/
Lebanon		3 November 1972 a/
Liberia	18 April 1967	
Libyan Arab Jamahiriya		15 May 1970 a/
Luxembourg b/	26 November 1974	18 August 1983

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Madagascar	17 September 1969	21 June 1971
Mali		16 July 1974 a/
Mauritius		12 December 1973 a/
Mexico		23 March 1981 a/
Mongolia	5 June 1968	18 November 1974
Morocco	19 January 1977	3 May 1979
Netherlands b/	25 June 1969	11 December 1978
New Zealand b/	12 November 1968	28 December 1978
Nicaragua		12 March 1980 a/
Niger		7 March 1986 a/
Norway b/	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru b/	11 August 1977	28 April 1978
Philippines b/	19 December 1966	23 January 1987
Poland	2 March 1967	18 March 1977
Portugal	7 October 1976	15 June 1978
Republic of Korea		10 April 1990 a/
Romania	27 June 1968	9 December 1974
Rwanda		16 April 1975 a/
Saint Vincent and the Grenadines		9 November 1981 a/
San Marino		18 October 1985 a/
Senegal b/	6 July 1970	13 February 1978
Somalia		24 January 1990 a/
Spain b/	28 September 1976	27 April 1977
Sri Lanka b/		11 June 1980 a/
Sudan		18 March 1986 a/
Suriname		28 December 1976 a/
Sweden b/	29 September 1967	6 December 1971
Syrian Arab Republic		21 April 1969 a/
Togo		24 May 1984 a/
Trinidad and Tobago		21 December 1978 a/

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Tunisia	30 April 1968	18 March 1969
Ukrainian Soviet Socialist Republic	20 March 1968	12 November 1973
Union of Soviet Socialist Republics	18 March 1968	16 October 1973
United Kingdom of Great Britain and Northern Ireland <u>b/</u>	16 September 1968	20 May 1976
United Republic of Tanzania		11 June 1976 <u>a/</u>
United States of America	5 October 1977	
Uruguay	21 February 1967	1 April 1970
Venezuela	24 June 1969	10 May 1978
Viet Nam		24 September 1982 <u>a/</u>
Yugoslavia	8 August 1967	2 June 1971
Zaire		1 November 1976 <u>a/</u>
Zambia		10 April 1984 <u>a/</u>

a/ Accession.

b/ Made the declaration under article 41 of the Covenant.

c/ See annex I, note b.

d/ In a communication dated 19 May 1990, the Ministers of Foreign Affairs of the Yemen Arab Republic and the People's Democratic Republic of Yemen informed the Secretary-General of the formation on 22 May 1990 of a single sovereign State called the "Republic of Yemen".

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ANNEX III

List of States which have signed, ratified or acceded to the
Optional Protocol to the International Covenant on Civil and
Political Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Algeria		12 September 1989 a/
Argentina		8 August 1986 a/
Austria	10 December 1973	10 December 1987
Barbados		5 January 1973 a/
Bolivia		12 August 1982 a/
Cameroon		27 June 1984 a/
Canada		19 May 1976 a/
Central African Republic		8 May 1981 a/
China b/		
Colombia	21 December 1966	29 October 1969
Congo		5 October 1983 a/
Costa Rica	19 December 1966	29 November 1968
Cyprus	19 December 1966	
Denmark	20 March 1968	6 January 1972
Dominican Republic		4 January 1978 a/
Ecuador	4 April 1968	6 March 1969
El Salvador	21 September 1967	
Equatorial Guinea		25 September 1987 a/
Finland	11 December 1967	19 August 1975
France		17 February 1984 a/
Gambia		9 June 1988 a/
Guinea	19 March 1975	
Honduras	19 December 1966	
Hungary		7 September 1988 a/
Iceland		11 August 1979 a/
Ireland		8 December 1989
Italy	30 April 1976	15 September 1978

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Jamaica	19 December 1966	3 October 1975
Libyan Arab Jamahiriya		16 May 1989 a/
Luxembourg		18 August 1983 a/
Madagascar	17 September 1969	21 June 1971
Mauritius		12 December 1973 a/
Netherlands	25 June 1969	11 December 1978
New Zealand		26 May 1989 a/
Nicaragua		12 March 1980 a/
Niger		7 March 1986 a/
Norway	20 March 1968	13 September 1972
Panama	27 July 1976	8 March 1977
Peru	11 August 1977	3 October 1980
Philippines	19 December 1966	22 August 1989
Portugal	1 August 1978	3 May 1983
Republic of Korea		10 April 1990 a/
Saint Vincent and the Grenadines		9 November 1981 a/
San Marino		18 October 1985 a/
Senegal	6 July 1970	13 February 1978
Somalia		24 January 1990 a/
Spain		25 January 1985 a/
Suriname		28 December 1976 a/
Sweden	29 September 1967	6 December 1971
Togo		30 March 1988 a/
Trinidad and Tobago		14 November 1980 a/
Uruguay	21 February 1967	1 April 1970
Venezuela	15 November 1976	10 May 1978
Zaire		1 November 1976 a/
Zambia		10 April 1987 a/

a/ Accession.

b/ See annex I, note b.

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ANNEX IV

List of States which have signed, ratified or acceded to the
Second Optional Protocol to the International Covenant on
Civil and Political Rights

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Belgium	12 July 1990	
Costa Rica	14 February 1990	
Denmark	13 February 1990	
Finland	13 February 1990	
German Democratic Republic	7 March 1990	
Germany, Federal Republic of	13 February 1990	
Honduras	10 May 1990	
Italy	13 February 1990	
Luxembourg	13 February 1990	
New Zealand	22 February 1990	22 February 1990
Nicaragua	21 February 1990	
Norway	13 February 1990	
Portugal	13 February 1990	
Romania	15 March 1990	
Spain	23 February 1990	
Sweden	13 February 1990	11 May 1990
Uruguay	13 February 1990	
Venezuela	7 June 1990	
