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COMMISSION ON HUMAN RIGHTS  
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PROMOTION AND PROTECTION OF HUMAN RIGHTS

Status of the International Covenants on Human Rights

Belgium\*, Bulgaria\*, Canada, Chile, Croatia\*, Czech Republic, Denmark\*, Finland\*, Georgia\*, Germany, Guatemala, Hungary\*, Iceland\*, Ireland\*, Italy, Liechtenstein\*, Lithuania\*, Luxembourg, Malta\*, Netherlands\*, Norway, Portugal, Romania, Slovenia\*, South Africa\*, Spain: draft resolution

2000/... Status of International Covenants on Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 54/157 of 17 December 1999 and its own resolution 1998/9 of 3 April 1998,

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

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Having considered the reports of the Secretary-General on the status of the International Covenants on Human Rights (E/CN.4/2000/89) and on the status of withdrawals and reservations with respect to the International Covenants on Human Rights (E/CN.4/2000/96),

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent 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 rights,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by States parties in implementing the obligations undertaken in the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights and in providing recommendations to States parties on their implementation,

Recognizing also the importance of regional human rights instruments and their monitoring mechanisms for the promotion and protection of human rights which complement the universal system of human rights protection,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;
2. Appeals strongly to 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, as well as to accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in article 41 of that Covenant;
3. Invites the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of technical cooperation and advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights;

4. 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 Protocols to the International Covenant on Civil and Political Rights;

5. 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 the appropriateness of measures taken in those circumstances can be assessed;

6. Also stresses the importance of fully taking into account a gender perspective in the implementation of the International Covenants on Human Rights at the national level, including in the reports of States parties and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

7. Encourages States parties to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

8. Urges States parties to refrain from denunciation of the Optional Protocols to the International Covenants on Civil and Political Rights succeeded by re-accession with an extended reservation as this undermines the basis of international treaty law as well as international protection for human rights;

9. Also encourages States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights with a view to withdrawing them;

10. Takes note of General Comments Nos. 27 and 28 adopted by the Human Rights Committee and General Comments Nos. 9, 10, 11, 12 and 13 adopted by the Committee on Economic, Social and Cultural Rights since the fifty-fourth session of the Commission;

11. Urges States parties to fulfil in good time such reporting obligations under the International Covenants on Human Rights as may be requested and to make use of gender-disaggregated data in their reports;

12. Also urges States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights, as well as the views adopted by the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights;

13. Invites States parties to give particular attention to the dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the observations made by the Committees at the conclusion of the consideration of the reports;

14. Once again 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 Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

15. Invites the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, when considering the reports of States parties, to continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights;

16. Stresses the need for improved coordination between relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, and encourages continued efforts in this direction;

17. Welcomes Economic and Social Council decision 287 of 30 July 1999 approving the holding of two additional three-week extraordinary sessions of the Committee on Economic, Social and Cultural Rights, as well as respective pre-sessional working groups of one week's duration during the years 2000-2001 in order to reduce the backlog of reports;

18. Welcomes the efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve the efficiency of their working methods and encourages them to continue to consider further ways and means to that end;
19. Invites States to continue to contribute, with practical proposals and ideas, to the dialogue on ways of improving the functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;
20. Welcomes the continuing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to strive for uniform standards in the implementation of the provisions of the International Covenants on Human Rights, and appeals to other bodies dealing with similar human rights questions to respect those uniform standards, as expressed in the general comments of the Committees;
21. Stresses the need for further efforts towards developing indicators and benchmarks to measure progress in the realization of the rights set forth in the International Covenant on Economic, Social and Cultural Rights as well as the desirability of considering the issue of justiciability of economic, social and cultural rights in order to strengthen the enjoyment of these rights;
22. Encourages the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the preparation of their reports, including by convening seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports and by exploring other possibilities available under the regular programme of technical cooperation advisory services in the field of human rights;
23. Requests the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates, including by the provision of adequate Secretariat staff resources;
24. Welcomes the initiative by the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, in particular through the Department of Public Information of the Secretariat, to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

25. Requests the Secretary-General to submit to the Commission on Human Rights, at its fifty-seventh and fifty-eighth sessions, 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 Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations;

26. Decides to consider this question at its fifty-eighth session under the agenda item entitled "Status of the International Covenants on Human Rights".

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