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COMMISSION ON HUMAN RIGHTS  
Fifty-eighth session  
Agenda item 18

**EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS**

**Australia\*, Austria, Chile, Cyprus\*, Denmark\*, Finland\*,  
Germany, Guatemala, Ireland, Luxembourg\*, Mexico,  
Netherlands\*, New Zealand\*, Norway\*, Poland, Portugal,  
Romania\*, Switzerland\*: draft resolution**

**2002/... Effective implementation of international instruments  
on human rights, including reporting obligations  
under international instruments on human rights**

*The Commission on Human Rights,*

*Recalling* General Assembly resolution 55/90 of 4 December 2000 and its own resolution 2000/75 of 26 April 2000, as well as other relevant resolutions,

*Reaffirming* that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights, to promote universal respect for and observance of human rights and fundamental freedoms,

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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.

*Considering* that the effective functioning of treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

*Reiterating its concern* about the persistent backlog of reports on the implementation by States parties of certain United Nations human rights instruments and about delays in the consideration of reports of the human rights treaty bodies,

*Reiterating its concern also* about the large number of overdue reports,

*Reiterating its concern further* about the lack of adequate resources, which impedes the effective functioning of the treaty bodies, including in regard to their ability to work in the applicable working languages,

*Recalling* that the effectiveness of the treaty bodies in encouraging the realization by States parties of their obligations under the United Nations human rights instruments requires constructive dialogue aimed at assisting States parties in identifying solutions to human rights problems and based on the reporting process supplemented by information from all relevant sources, which should be shared with all interested parties,

*Reaffirming* its responsibility for the effective functioning of human rights treaty bodies, and reaffirming also the importance of:

(a) Promoting the effective functioning of the periodic reporting by States parties to those instruments,

(b) Securing sufficient financial, human and information resources for the Office of the United Nations High Commissioner for Human Rights to enable the human rights treaty bodies to carry out their mandates effectively, including in regard to their ability to work in the applicable working languages,

(c) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks,

(d) Addressing questions of both reporting obligations and financial implications when elaborating any further instruments on human rights,

1. *Takes note with appreciation* of the report of the persons chairing the human rights treaty bodies on their twelfth meeting (A/55/206), held in Geneva from 5 to 8 June 2000, and the holding of the thirteenth meeting in Geneva from 18 to 22 June 2001, and also takes note of the conclusions and recommendations of those meetings;

2. *Encourages* each treaty body to continue to give careful consideration to the relevant conclusions and recommendations contained in the reports of the meetings of the chairpersons of the human rights treaty bodies and, in this context, encourages enhanced cooperation and coordination between the human rights treaty bodies;

3. *Takes note with interest* of the report of the Secretary-General on implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (E/CN.4/2002/110);

4. *Notes with appreciation* the continuing attention given by the human rights treaty bodies, the chairpersons of those bodies, Governments, United Nations bodies and specialized agencies, the United Nations High Commissioner for Human Rights, non-governmental organizations and interested persons to the question of enhancing the long-term effectiveness of the United Nations human rights treaty system, including the final report of the independent expert (E/CN.4/1997/74) and other contributions;

5. *Emphasizes* the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, particularly in view of the additional demands placed on the system by the new reporting requirements and the increasing number of ratifications and, with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in respect of each treaty body, while making the most efficient use of existing resources, in order to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(b) Calls upon the Secretary-General to seek in the next biennium the resources within the United Nations regular budget necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(c) Welcomes the plans of action prepared by the High Commissioner to enhance the resources available to all the human rights treaty bodies and thereby strengthen the implementation of these human rights treaties, and encourages all Governments, United Nations bodies and specialized agencies, non-governmental organizations and interested persons to consider contributing to the appeal for extra budgetary resources for the treaty bodies made by the High Commissioner until the regular budget funding meets their needs;

6. *Takes note* of the measures taken by each of the human rights treaty bodies to improve their functioning, as reflected in their respective annual reports, and encourages continuing efforts by the human rights treaty bodies and the Secretary-General to help improve the meeting of reporting obligations by States parties and to reduce the backlog in the consideration of reports by treaty bodies;

7. *Welcomes* the decision of the treaty bodies to convene the first inter-committee meeting from 26 to 28 June 2002 to discuss issues of common concern, including issues relating to the methods of work of the treaty bodies;

8. *Also welcomes* the continuing efforts by the human rights treaty bodies and the Secretary-General aimed at improving the effectiveness of the treaty body system, including by streamlining, rationalizing, rendering more transparent and otherwise improving reporting procedures;

9. *Encourages* all key stakeholders, such as the Secretary-General, the Office of the High Commissioner for Human Rights in particular, the treaty bodies and States parties, to continue to examine ways of improving the effectiveness of the treaty body system, including by reducing the duplication of reporting required under the different instruments, without impairing the quality of reporting, and of generally reducing the reporting burden on States parties, including through an ongoing examination of proposals for reports focused on a limited range of issues, the harmonization of the general guidelines regarding the form and content of reports, the possibility of consolidating overdue reports, the timing of consideration of reports and the methods of work of the treaty bodies;

10. *Recognizes* recent efforts by the treaty bodies and the Office of the High Commissioner for Human Rights to improve the petitions system;

11. *Urges* States parties to contribute, individually and collectively, such as through meetings of States parties, to identifying practical proposals and ideas for improving the functioning of the treaty bodies and strongly encourages the treaty bodies to take these efforts into consideration in their ongoing work;

12. *Also urges* States parties to make every effort to meet their reporting obligations under United Nations human rights instruments;

13. *Reiterates* that a priority of the Office of the United Nations High Commissioner for Human Rights should be to provide assistance to States parties, upon their request and, if possible, in coordination with other United Nations bodies, Governments and other interested parties, in order to:

(a) Assist those States in the process of ratifying United Nations human rights instruments;

(b) Assist States with the implementation of their obligations under such instruments, including the preparation of their initial reports;

14. *Invites* States parties that have not yet submitted their initial reports under United Nations human rights instruments to avail themselves, where necessary, of technical assistance for this purpose;

15. *Welcomes* the publication of the revised *Manual on Human Rights Reporting* (United Nations publication, Sales No. E.GV.97.0.16) and requests the United Nations High Commissioner for Human Rights, in accordance with Economic and Social Council decision 1998/252 of 30 July 1998, to take the necessary measures to ensure the translation into all the official United Nations languages of the revised *Manual* as soon as possible;

16. *Also welcomes* the availability of documentation regarding the treaty bodies on the web site of the Office of the High Commissioner and urges the Secretary-General to ensure that United Nations practices concerning access to treaty information are consistent with Commission resolutions 2001/63 of 25 April 2001 on public information activities and 2001/61 of 25 April 2001 on human rights education;

17. *Encourages* the human rights treaty bodies to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties, and encourages States parties to consider carefully the concluding observations of the treaty bodies in identifying their needs for technical assistance;

18. *Urges* each State party whose report has been examined by a human rights treaty body to translate, publish and make available in its territory the full text of the concluding observations of the treaty body on its report and to provide adequate follow-up to those observations;

19. *Welcomes* the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies and encourages the specialized agencies and other United Nations bodies, the various organs of the Commission on Human Rights, including its special procedures, the Sub-Commission on the Promotion and Protection of Human Rights, the Office of the High Commissioner and the chairpersons of the human rights treaty bodies to continue to explore specific measures to intensify this cooperation among themselves and improve communication and information flow to improve further the quality of their work, including by avoiding unnecessary duplication;

20. *Recognizes* the important role played by non-governmental organizations in all parts of the world in the effective implementation of all human rights instruments, and encourages the exchange of information between the human rights treaty bodies and such organizations;

21. *Recalls*, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographical distribution and gender balance of membership and to the representation of the principal legal systems, and of bearing in mind that the members shall be elected and serve in their personal capacity and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights, and encourages States parties, individually and through meetings of States parties, to consider how to give better effect to these principles;

22. *Encourages* the efforts of the treaty bodies to monitor more effectively the human rights of women in their activities, bearing in mind the workshops on gender integration, and reaffirms that it is the responsibility of all treaty bodies to integrate a gender perspective into their work;

23. *Welcomes* the contribution of the human rights treaty bodies, within their mandates, to the prevention of violations of human rights, in the context of their consideration of reports submitted under their respective treaties;

24. *Requests* the Secretary-General to report to the Commission at its sixtieth session on measures taken to implement the present resolution and obstacles to its implementation, and on measures taken or planned to ensure financing and adequate staff and information resources for the effective operation of the human rights treaty bodies;

25. *Decides* to consider this question on a priority basis at its sixtieth session under the agenda item entitled “Effective functioning of human rights mechanisms”.

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