

implementation of the International Covenants on Human Rights,

1. *Recognizes* that equal attention should be given to the implementation, promotion and protection of economic, social and cultural rights and civil and political rights;

2. *Appeals* to all States, on the occasion of the twentieth anniversary of the adoption of the International Covenants on Human Rights, to pursue policies directed to the full implementation of the rights contained therein;

3. *Requests* the Commission on Human Rights to continue its consideration of the realization of economic, social and cultural rights and to submit to the General Assembly at its forty-second session, through the Economic and Social Council, its views and recommendations on these human rights;

4. *Welcomes* the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted from 1987 on with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;

5. *Encourages* Governments to give careful consideration to nominations for membership of the Committee on Economic, Social and Cultural Rights in due recognition of the status of Committee members as experts with recognized competence in the field of human rights, serving in their personal capacity;

6. *Urges* the Secretary-General to take determined steps, within existing resources, to give publicity to the Committee on Economic, Social and Cultural Rights and to ensure that it receives full administrative support in order to enable it to commence its functions effectively;

7. *Decides* to convene, on 16 December 1986, during its forty-first session, a commemorative plenary meeting of the General Assembly devoted to the twentieth anniversary of the adoption of the International Covenants on Human Rights;

8. *Decides also* to discuss at its forty-first session, under the item entitled "International Covenants on Human Rights", the question of the indivisibility and interdependence of economic, social, cultural, civil and political rights.

*116th plenary meeting  
13 December 1985*

#### **40/115. International Covenants on Human Rights**

*The General Assembly,*

*Recalling* its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980, 36/58 of 25 November 1981, 37/191 of 18 December 1982, 38/116 and 38/117 of 16 December 1983, and 39/136 and 39/138 of 14 December 1984,

*Taking note* of the report of the Secretary-General<sup>116</sup> on the status of the International Covenant on Economic, Social and Cultural Rights,<sup>7</sup> the International Covenant on Civil and Political Rights<sup>7</sup> and the Optional Protocol to the International Covenant on Civil and Political Rights,<sup>7</sup>

*Noting with appreciation* that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,<sup>24</sup>

*Recognizing* the important role of the Human Rights Committee in the implementation of the International

Covenant on Civil and Political Rights and the Optional Protocol thereto,

*Taking into account* the useful work of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights,

*Bearing in mind* the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

*Calling attention* to the twentieth anniversary, in 1986, of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

1. *Takes note with appreciation* of the report of the Human Rights Committee on its twenty-third, twenty-fourth and twenty-fifth sessions,<sup>117</sup> and expresses its satisfaction with the serious and constructive manner in which the Committee is continuing to perform its functions;

2. *Expresses its appreciation* to those States parties to the International Covenant on Civil and Political Rights that have submitted their reports to the Human Rights Committee under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports as speedily as possible;

3. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

4. *Commends* those States parties to the International Covenant on Economic, Social and Cultural Rights that have submitted their reports under article 16 of the Covenant and urges States that have not yet done so to submit their reports as soon as possible;

5. *Notes with satisfaction* that the majority of States parties to the International Covenant on Civil and Political Rights, and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights, have been represented by experts for the presentation of their reports, thereby assisting the Human Rights Committee and the Economic and Social Council in their work, and hopes that all States parties to both Covenants will arrange such representation in the future;

6. *Again urges* 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 consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

7. *Invites* 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;

8. *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 Protocol to the International Covenant on Civil and Political Rights;

9. *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;

10. *Recommends* to States parties that they continually review whether any reservation made in respect of the provisions of the International Covenants on Human Rights should be upheld;

<sup>116</sup> A/40/605.

<sup>117</sup> *Official Records of the General Assembly, Fortieth Session, Supplement No. 40 (A/40/40).*

11. *Urges* States parties to continue to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights;

12. *Welcomes* the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted from 1987 on with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;

13. *Requests* the Secretary-General to keep the Human Rights Committee informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women, and also to transmit the annual reports of the Human Rights Committee to those bodies;

14. *Also requests* the Secretary-General to submit to the General Assembly at its forty-first session 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 Protocol to the International Covenant on Civil and Political Rights;

15. *Again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps within existing resources to give more publicity to the work of the Committee and, similarly, to the work of the Economic and Social Council and to improve administrative and related arrangements to enable them to carry out their respective functions effectively under the International Covenants on Human Rights;

16. *Welcomes* the progress already made towards the publication of the official public records of the Human Rights Committee in bound volumes and looks forward to receiving in the near future the volumes covering the first two sessions;

17. *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 Protocol to the International Covenant on Civil and Political Rights in as many languages as possible and to distribute them and make them known as widely as possible in their territories;

18. *Requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights.

*116th plenary meeting  
13 December 1985*

#### **40/116. Reporting obligations of States parties to United Nations conventions on human rights**

*The General Assembly.*

*Recalling* its resolution 37/44 of 3 December 1982, in which it noted with concern the critical situation with regard to overdue reports under the International Convention on the Elimination of All Forms of Racial Discrimi-

nation<sup>11</sup> and affirmed the necessity of considering that situation within the overall framework of all reporting obligations of States parties to United Nations conventions on human rights,

*Recalling also* its resolution 38/117 of 16 December 1983, in which it noted that many delays were also occurring in the submission of reports under the International Covenant on Economic, Social and Cultural Rights,<sup>7</sup> as indicated by the Secretary-General in his first report on the overall situation with regard to reporting obligations,<sup>118</sup>

*Recalling further* its resolution 39/138 of 14 December 1984, in which the General Assembly, having considered the report of the meeting of the Chairmen of the supervisory bodies entrusted with the consideration of reports submitted under United Nations conventions on human rights and of the Commission on Human Rights, held at Geneva on 16 and 17 August 1984,<sup>119</sup> expressed its concern about the problems experienced by those bodies in the functioning of the reporting procedures and its conviction of the need to improve the existing reporting system in order to resolve the problems experienced both by those bodies and by the States parties to the various conventions on human rights,

*Having considered* the report of the Secretary-General containing updated information as at 1 June 1985 on the general situation of the submission of reports of States parties to United Nations conventions on human rights<sup>120</sup> and a compilation of the general guidelines elaborated by the various human rights bodies under the human rights instruments containing reporting obligations,<sup>121</sup>

*Noting with deep concern* that the number of reports overdue from States parties to at least one of the conventions on human rights has increased seriously and may even increase further unless appropriate steps are taken to ascertain better the root causes of the situation and to devise appropriate types of action that can progressively remove the difficulties being experienced,

*Recalling*, in this respect, Commission on Human Rights resolution 1985/26 of 11 March 1985<sup>30</sup> concerning the programme of advisory services in the field of human rights,<sup>122</sup> and also resolution 1985/45 of 14 March 1985,<sup>30</sup> in which the Commission, having considered the status of the International Covenants on Human Rights,<sup>24</sup> requested the Secretary-General to consider ways and means of making advice and assistance available to States parties to these instruments in the preparation of their reports,

*Recognizing once again and with deeper concern* the burden that several coexisting reporting systems place upon Member States that are parties to various conventions, which in future may become more acute in relation to the ratification of other conventions,

*Reiterating* the importance it attaches to the fulfilment of obligations under international conventions on human rights, including reporting obligations,

1. *Takes note with appreciation* of the very comprehensive second report of the Secretary-General on reporting obligations of States parties to United Nations conventions on human rights, which contains:

(a) Updated information on the general situation of the submission of reports of States parties to the five conventions currently in force;

(b) Consideration of and suggestions on the question of consolidating the guidelines of the supervisory bodies

<sup>118</sup> A/38/393.

<sup>119</sup> A/39/484, annex.

<sup>120</sup> A/40/600, sect. II.

<sup>121</sup> A/40/600/Add. I, annex.

<sup>122</sup> See E/CN.4/1985/30.