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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
Third session

Selected resolutions and decisions of the Economic and Social Council
relating to the Implementation of the International Covenant on
Economic, Social and Cultural Rights

Note by the Secretary-General

The present document contains a selection of resolutions and decisions relevant to the implementation of the International Covenant on Economic, Social and Cultural Rights, which have been adopted by the Economic and Social Council since the entry into force of the Covenant on 3 January 1976. It is prepared by the Secretariat in order to facilitate the work of the Committee and the States parties to the Covenant.

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1988 (LX). Procedures for the Implementation of the
International Covenant on Economic,
Social and Cultural Rights

The Economic and Social Council,

Welcoming the entry into force on 3 January 1976 of the International Covenant on Economic, Social and Cultural Rights, 30/

Expressing its appreciation to those States which have become parties to the Covenant,

Expressing the hope that at the earliest practicable time other States will become parties to the Covenant, with a view to making its application universal,

Noting the important responsibilities placed on the Economic and Social Council by the Covenant and expressing its readiness to perform these responsibilities,

Noting in particular that international assistance and co-operation are among the methods envisaged in the Covenant for the guaranteeing of the rights enumerated therein,

Having requested the Secretary-General to conduct on its behalf consultations with the States parties to the Covenant and the specialized agencies concerned, as envisaged in article 17 of the Covenant, and having received with appreciation the report of the Secretary-General thereon, 31/

Expressing its appreciation to the Commission on Human Rights, the specialized agencies concerned and other organizations of the United Nations system for their readiness to co-operate in the implementation of the Covenant,

1. Establishes in accordance with article 17 of the International Covenant on Economic, Social and Cultural Rights, the following programme under which the States parties to the Covenant will furnish in biennial stages the reports referred to in article 16 thereof:

First stage: rights covered by articles 6-9;

Second stage: rights covered by articles 10-12;

Third stage: rights covered by articles 13-15;

2. Requests the States parties to the Covenant, in reporting under the programme established under paragraph 1 above, to give full attention to the principles contained in parts I and II - articles 1 to 5 - of the Covenant;

3. Invites the States parties to the Covenant to submit to the Secretary-General, in conformity with part IV of the Covenant, and in accordance with the programme established under paragraph 1 above, reports on

30/ General Assembly resolution 2200 A (XXI) of 16 December 1966.

31/ E/5764.

the measures that they have adopted and the progress made in achieving the observance of the rights recognized in the Covenant, and to indicate, when necessary, factors and difficulties affecting the degree of fulfilment of their obligations under the Covenant; 32/

4. Requests the Secretary-General to transmit copies of the reports of the States parties to the Covenant to the Economic and Social Council for consideration in accordance with the provisions of the Covenant;

5. Requests the Secretary-General to transmit to the specialized agencies, in accordance with article 16, paragraph 2 (b), of the Covenant, copies of the reports, or any relevant parts thereof, from States parties to the Covenant which are also members of these specialized agencies, in so far as these reports, or parts thereof, relate to any matters which fall within the responsibilities of the said agencies in accordance with their constitutional instruments;

6. Calls upon the specialized agencies to submit to the Economic and Social Council, in accordance with the programme established under paragraph 1 above, and bearing in mind the provisions of article 16, paragraph 2, of the Covenant, reports on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of their activities, as provided under article 18 of the Covenant, which reports may include particulars of decisions and recommendations on such implementation adopted by their competent organs; 33/

7. Decides that States parties to the Covenant which submit reports under the Covenant need not submit reports on similar questions under the reporting procedure established under Economic and Social Council resolution 1074 C (XXXIX) of 28 July 1965;

8. Requests the Secretary-General, in co-operation with the specialized agencies concerned, to draw general guidelines for the reports to be submitted by States parties to the Covenant and specialized agencies;

9. Decides that:

(a) A sessional Working Group of the Economic and Social Council, with appropriate representation of States parties to the Covenant, and with due regard to equitable geographical distribution, shall be established by the Council whenever reports are due for consideration by the Council, for the purpose of assisting it in the consideration of such reports;

32/ The reports on the rights included in the first stage of the programme should be transmitted by 1 September 1977, and the reports on the subsequent stages at biennial intervals thereafter.

33/ The reports on the rights included in the first stage of the programme should be transmitted by 1 December 1977, and the reports on the subsequent stages at biennial intervals thereafter.

(b) Representatives of specialized agencies concerned may take part in the proceedings of the Working Group when matters falling within their respective fields of competence are considered;

10. Appeals to States to include, if possible, in their delegations to the relevant sessions of the Economic and Social Council, members competent in the subject-matters under consideration;

11. Requests the Secretary-General to take all steps to ensure the effective performance by the Economic and Social Council of its responsibilities under the Covenant.

1999th plenary meeting
11 May 1976

1978/10. Composition of the Sessional Working Group on the
Implementation of the International Covenant
on Economic, Social and Cultural Rights

At its 12th plenary meeting, on 3 May 1978, the Council decided:

(a) To establish, for the purpose of assisting the Council in the consideration of reports submitted by States parties to the International Covenant on Economic, Social and Cultural Rights in accordance with Council resolution 1988 (LX), a sessional Working Group on the implementation of the International Covenant on Economic, Social and Cultural Rights, composed of 15 members of the Council which are also States parties to the Covenant: three members from African States, three members from Asian States, three members from Eastern European States, three members from Latin American States and three members from Western European and other States;

(b) To invite the President of the Council, after due consultations with the regional groups, to appoint the members of the Working Group in accordance with paragraph (a) above;

(c) To invite the following to participate in the proceedings of the Working Group as observers:

- (i) Other members of the Council;
- (ii) States parties to the Covenant which are not members of the Council;
- (iii) Member States which express interest in the deliberations of the Working Group;
- (iv) Representatives of the specialized agencies concerned, when matters falling within their respective fields of competence are considered;

(d) To request the Working Group to prepare for the consideration of the Council recommendations on its methods of work in connection with the reports of States parties to the Covenant;

(e) To review the present decision at its first regular session of 1981, taking into account the principle of equitable geographical distribution and the increase in the number of States parties to the International Covenant on Economic, Social and Cultural Rights.

1979/43. Methods of work of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights

The Economic and Social Council,

Having considered the recommendations concerning methods of work made by the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 66/

Approves the methods of work of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights set forth below:

Methods of work of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights

1. The Working Group is composed of 15 members appointed in accordance with Economic and Social Council decision 1978/10 of 3 May 1978.
2. The Working Group shall meet annually during the first regular session of the Economic and Social Council.
3. At the beginning of each session the Working Group shall elect, from among the representatives of its members, a Chairman, three Vice-Chairmen and a Rapporteur, with due regard for equitable geographical representation.
4. The Working Group shall conduct its meetings in accordance with the rules of procedure of the Economic and Social Council in so far as they are applicable. However, the Working Group will endeavour to work on the basis of the principle of consensus.
5. The Working Group shall assist the Economic and Social Council in the consideration of the reports submitted by States parties to the International Covenant on Economic, Social and Cultural Rights 67/ in conformity with article 16 of the Covenant.
6. The Working Group shall consider the reports submitted by States parties to the Covenant in accordance with the programme established by the Economic and Social Council in its resolution 1988 (LX) of 11 May 1976, under which the States parties will furnish in biennial stages the reports referred to in article 16 of the Covenant.
7. The Working Group shall normally consider the reports submitted by States parties under article 16 of the Covenant in the order in which they have been received by the Secretary-General. Representatives of the reporting States are entitled to be present at the meetings of the Working Group when their

66/ See E/1979/64.

67/ General Assembly resolution 2200 A (XXI), annex.

reports are examined, to make statements on the reports submitted by their States and answer questions which may be put to them by the members of the Working Group.

8. The President of the Economic and Social Council shall notify through the Secretary-General, the States parties as early as possible of the opening date and duration of the session of the Working Group at which their respective reports will be examined. For the meetings referred to in paragraph 7 above, representatives of the States parties concerned will be specially invited to attend.

9. The analytical summary of reports prepared by the Secretary-General in accordance with Economic and Social Council decision 1978/9 of 3 May 1978 shall be made available to the Working Group in order to facilitate its work. The Working Group may express its views on the usefulness, form and content of the analytical summary.

10. The Working Group is also entrusted with the task of considering the reports of the specialized agencies, submitted to the Economic and Social Council in accordance with article 18 of the Covenant and the programme established under Council resolution 1988 (LX), on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of their activities.

11. At the beginning of each session, the Working Group shall consider appropriate organizational matters, including the schedule of its meetings and the possibility of holding a general discussion on the measures adopted and the progress made in achieving the observance of the rights recognized in the Covenant.

12. The Working Group may submit to the Economic and Social Council proposals concerning the recommendations of a general nature referred to in article 21 of the Covenant. It may also make suggestions for the consideration of the Council with reference to articles 19, 22 and 23 of the Covenant.

13. The general guidelines for reports on the respective articles of the Covenant, drawn up by the Secretary-General in accordance with Economic and Social Council resolution 1988 (LX), may when necessary be considered by the Working Group with a view to making suggestions for their improvement.

14. The Working Group shall at each session consider the status of submission of reports under article 16 of the Covenant and may make appropriate recommendations in its report to the Economic and Social Council, including recommendations to the effect that the Secretary-General should send reminders to States parties from which reports have not been received.

15. Summary records of the meetings of the Working Group shall be drawn up and distributed in the working languages. The records of each session shall be transmitted by the Secretary-General to all States parties to the Covenant.

16. At the conclusion of each session the Working Group shall submit to the Economic and Social Council a report on its work.

18th plenary meeting

11 May 1979

1981/158. Review of the composition, organization and administrative arrangements of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights

At its 19th plenary meeting, on 8 May 1981, the Council took note of the report of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights 125/ and decided, in conformity with its decisions 1978/10 of 3 May 1978 and 1981/102 of 6 February 1981, to incorporate the following provisions into the methods of work of the Sessional Working Group, as set out in Council resolution 1979/43 of 11 May 1979:

Name

1. The name of the Group shall henceforth be "Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights".

Numbers of members

2. In accordance with Council decision 1978/10, the number of members shall remain at 15 and the membership shall continue to be distributed equally among the geographical regions, subject to review when, in the opinion of the Council, an increase in the number of States parties to the Covenant makes such a review desirable.

Appointment of members

3. The members of the Working Group shall be appointed in accordance with paragraph 9 of Council resolution 1988 (LX) of 11 May 1976 and subparagraph (a) of Council decision 1978/10, subject to further review if a situation arises in which a change seems to be necessary. The President of the Council shall, each year, appoint the members of the Working Group at the organizational session of the Council.

Time of meeting and reporting

4. The Working Group shall meet once yearly, starting one week before the first regular session of the Council, and shall submit its report to the Council for consideration at that session.

Duration of meetings

5. In principle, the duration of each session of the Working Group shall be three weeks, subject to review when the number of reports for consideration at any one session so warrants.

125/ E/1981/64 and Add.1.

Amendments to the methods of work

6. Apart from those amendments to the methods of work set out in Council resolution 1979/43 arising out of the recommendations made by the Working Group at its 1981 session, as set forth in the present decision, the existing system shall be maintained.

Conclusions and recommendations

7. The Working Group shall function in accordance with Council resolution 1979/43 as amended by the present decision.

Review of the status of the submission of reports
by States parties to the Covenant

8. A list of States parties to the Covenant shall be annexed to the report of the Working Group on each session, together with an indication of the status of submission of reports for consideration by the Working Group, in accordance with paragraph 14 of the methods of work set out in Council resolution 1979/43.

Incorporation of the understanding reached on the role
and participation of specialized agencies

9. The representatives of the specialized agencies concerned may make general statements on matters relating to their field of competence at the end of the discussion by the Working Group of the report of each State party to the Covenant, and States parties presenting reports to the Working Group shall be free to respond to, or take into account, the general comments made by the specialized agencies.

Analytical summaries

10. The preparation of the analytical summaries authorized by the Council in its decision 1978/9 of 5 May 1978 shall be suspended. The Working Group shall continue to be provided with summary records.

1982/33. Review of the composition, organization and administrative arrangements of the Sessional Working Group (of Governmental Experts) on the Implementation of the International Covenant on Economic, Social and Cultural Rights */

The Economic and Social Council,

Recalling its resolution 1988 (LX) of 11 May 1976, by which it noted the important responsibilities placed upon the Economic and Social Council by the International Covenant on Economic, Social and Cultural Rights, in particular those resulting from articles 21 and 22 of the Covenant, and expressed its readiness to fulfil those responsibilities,

Recalling its decision 1978/10 of 3 May 1978, by which it decided to establish a Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, for the purpose of assisting the Council in the consideration of reports submitted by States parties to the Covenant in accordance with Council resolution 1988 (LX), and determined the composition of the Working Group,

Recalling also its resolution 1979/43 of 11 May 1979, by which it approved the methods of work of the Sessional Working Group, and its decision 1981/158 of 8 May 1981, by which it incorporated certain changes in, and modified the methods of work of, the Sessional Working Group,

Recalling further its resolution 1980/24 of 2 May 1980, by which it noted that the Sessional Working Group, established in accordance with Council decision 1978/10, had encountered certain difficulties in discharging its responsibilities under the arrangements and requested the Secretary-General to solicit the views of members of the Council and all States parties to the Covenant on the future composition, organization and administrative arrangements of the Sessional Working Group and to submit a report thereon, together with any comments he might wish to make, to the Council at its organizational session for 1981, in order to assist the Council in reviewing its decision 1978/10,

Recalling its decision 1981/162 of 8 May 1981, by which it decided to review the composition, organization and administrative arrangements of the Sessional Working Group at its first regular session of 1982,

Having considered the report of the Sessional Working Group (of Governmental Experts) on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 59/

*/ For the text of the Covenant, see General Assembly resolution 2200 A (XXI), annex.

Decides that:

(a) The Working Group established by Economic and Social Council decision 1978/10 and modified by Council decision 1981/158 shall be renamed "Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights" (hereinafter referred to as "the Group of Experts");

(b) The 15 members of the Group of Experts shall be elected by the Economic and Social Council from among the States parties to the International Covenant on Economic, Social and Cultural Rights, in accordance with the geographical distribution established by the Council in paragraph (a) of its decision 1978/10, under the following conditions:

- (i) The members of the Group of Experts shall be elected for a term of three years and shall be eligible for re-election at the end of their terms;
- (ii) One third of the membership of the Group of Experts, comprising one member from each regional group, shall be renewed each year;
- (iii) The first elections shall take place during the resumed second regular session of 1982 of the Economic and Social Council and the confirmation of the experts designated by Member States to represent them in the Group of Experts shall take place at the organizational session for 1983 of the Council; immediately after the first elections, the President of the Council shall choose by lot the name of one member from each regional group whose term shall expire at the end of one year and the name of another member from each regional group whose term shall expire at the end of two years;
- (iv) The terms of office of members elected to the Group of Experts shall begin on 1 January following their election and shall expire on 31 December following the election of members that are to succeed them as members of the Group of Experts;
- (v) Subsequent elections shall take place each year during the first regular session of the Council;
- (vi) Each Member State elected to the Group of Experts shall designate, in consultation with the Secretary-General and subject to confirmation by the Council, a qualified person to represent that Member State in the Group of Experts;
- (vii) The person so designated by his or her Government shall be an expert with recognized competence in the field of human rights;

(c) The Group of Experts shall meet annually for a period of three weeks, beginning two weeks before the first regular session of the Council; the duration of each session may be extended by the Council at its organizational session, if required, taking into account the number of reports to be examined by the Group of Experts in the course of its following session;

(d) At the end of each of its sessions, the Group of Experts shall submit to the Economic and Social Council a report on its activities and shall make suggestions and recommendations of a general nature based on its consideration of reports submitted by States parties to the Covenant and by the specialized agencies, in order to assist the Council to fulfil, in particular, its responsibilities under articles 21 and 22 of the Covenant;

(e) The Secretary-General shall provide the Group of Experts with summary records of its proceedings; those summary records shall be made available to the Council at the same time as the report of the Group of Experts; the Secretary-General shall also provide the Group of Experts with appropriate conference facilities;

(f) The Economic and Social Council shall review the composition, organization and administrative arrangements of the Group of Experts at its first regular session of 1985, and subsequently every three years, taking into account the principle of equitable geographical distribution and the increase in the number of States parties to the Covenant;

(g) The procedures and methods of work established by the resolutions and decisions referred to in the preamble to the present resolution shall remain in force in so far as they are not modified by the present resolution.

27th plenary meeting
6 May 1982

1983/41. Implementation of the International Covenant on Economic, Social and Cultural Rights

The Economic and Social Council,

Bearing in mind its important responsibilities under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights,

Recalling its resolutions 1988 (LX) of 11 May 1976, 1979/43 of 11 May 1979 and 1982/33 of 6 May 1982 and its decision 1981/158 of 8 May 1981,

Recalling also General Assembly resolution 37/191 of 18 December 1982,

Having considered the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 84/

Noting that, as a result of continuing improvements in the work of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, consideration of the reports of the States parties is becoming more thorough,

Mindful of the relevant resolutions and decisions adopted by the General Assembly and the Economic and Social Council on the control and limitation of documentation,

1. Takes note of the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights;
2. Invites States that have thus far neither ratified nor acceded to the International Covenant on Economic, Social and Cultural Rights to do so, pursuant to General Assembly resolution 37/191;
3. Calls upon States parties to the International Covenant on Economic, Social and Cultural Rights to submit reports required under article 16 thereof, in accordance with the programme established by Council resolution 1988 (LX), and urges States parties that have not yet done so to submit their initial reports as soon as possible and, in those instances in which it is not possible to do so, to inform the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights when those reports will be submitted;
4. Invites States parties to the Covenant, in preparing their reports, to comply with the guidelines established by the Secretary-General concerning the form and content of reports;
5. Urges States parties to the Covenant which are submitting reports for consideration by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, taking into account paragraph 24 (g) of its report, 84/ to be

84/ E/1983/41.

mindful of the importance of submitting their reports 12 weeks before the session of the Group of Experts in order to permit processing by the Secretariat and adequate study by the members of the Group of Experts;

6. Requests the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights to consider including in its report to the Council brief summaries of the consideration of each country report;

7. Requests the Secretary-General to ensure that the summary records of the proceedings of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights are made available to the Council at the time the report of the Group of Experts is considered by the Council;

8. Requests the Secretary-General to ensure that the United Nations press service issues press releases on the proceedings of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

15th plenary meeting
27 May 1983

1984/9. Implementation of the International Covenant
on Economic, Social and Cultural Rights

The Economic and Social Council,

Bearing in mind its important responsibilities under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, 14/

Recalling its resolutions 1988 (LX) of 11 May 1976, 1979/43 of 11 May 1979, 1983/41 of 27 May 1983 and its decision 1981/158 of 8 May 1981,

Recalling also General Assembly resolutions 37/191 of 18 December 1982 and 38/116 of 16 December 1983,

Having considered the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 15/

Mindful of the relevant resolutions and decisions adopted by the General Assembly and the Economic and Social Council on the control and limitation of documentation,

Recalling its resolution 1982/33 of 6 May 1983, by which it decided to review the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights at its first regular session of 1985, taking into account the principle of equitable geographical distribution and the increase in the number of States parties to the Covenant,

Recalling also that the meetings of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights are public, that States parties to the Covenant, States Members of the United Nations and representatives of the specialized agencies concerned may participate in its proceedings in accordance with Council decision 1978/10 of 3 May 1978, and that interested non-governmental organizations in consultative status with the Council and the public at large may attend those meetings,

Noting the concern expressed by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights about the lack of publicity given to its work at the present session of the Council,

14/ General Assembly resolution 2200 A (XXI), annex.

15/ E/1984/83.

1. Takes note of the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights;
2. Invites again all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights;
3. Calls upon States parties to the Covenant to submit reports required under article 16 thereof, in accordance with the programme established by Council resolution 1988 (LX), and urges States parties to complete the entire cycle of initial reports before submitting second periodic reports;
4. Invites States parties to the Covenant to comply with the guidelines established by the Secretary-General concerning the form and content of reports and to take note of the relevant recommendations of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights in preparing and submitting their reports;
5. Requests the specialized agencies, on the basis of experience gained in other bodies and of reports so far submitted and considered by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights to report on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of their activities, in accordance with article 18 of the Covenant and paragraph 6 of Council resolution 1988 (LX);
6. Requests the Secretary-General to take all appropriate measures to ensure that the United Nations press service issues press releases on the proceedings of the next session of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights;
7. Requests the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights to continue to consider including in its report to the Council brief summaries of the consideration of each country report;
8. Requests the Secretary-General to bring the relevant suggestions and recommendations listed in section IV of the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights 15/ to the attention of States parties to the Covenant so that States parties may take them into account in preparing and submitting their reports under the Covenant;

15/ E/1984/83.

9. Also requests the Secretary-General to submit to the Economic and Social Council at its first regular session of 1985 a report on the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights and other bodies established in accordance with existing international instruments in the field of human rights in order to facilitate the review which the Council will undertake in accordance with its resolution 1982/33;

10. Decides that the review shall be conducted at an early date during its first regular session of 1985 to allow enough time for a full discussion of this important matter, taking into account any recommendations which the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights may agree upon at its next session.

19th plenary meeting
24 May 1984

1985/17. Review of the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights

The Economic and Social Council,

Recalling its resolution 1988 (LX) of 11 May 1976, by which it noted the important responsibilities placed upon the Economic and Social Council by the International Covenant on Economic, Social and Cultural Rights, 39/ in particular those resulting from articles 21 and 22 of the Covenant, and expressed its readiness to fulfil those responsibilities,

Recalling its decision 1978/10 of 3 May 1978, by which it decided to establish a Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, for the purpose of assisting the Council in the consideration of reports submitted by States parties to the Covenant in accordance with Council resolution 1988 (LX), and determined the composition of the Working Group,

Recalling also its resolution 1979/43 of 11 May 1979, by which it approved the methods of work of the Working Group, and its decision 1981/158 of 8 May 1981, by which it incorporated certain changes in, and modified the methods of work of, the Working Group,

Recalling further its resolution 1982/33 of 6 May 1982, by which it modified the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts and decided to review the composition, organization and administrative arrangements of the Group at its first regular session of 1985,

Having considered the report of the Secretary-General on the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights and other bodies established in accordance with existing international instruments in the field of human rights, 40/

Having considered the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 41/

Decides that:

(a) The Working Group established by Economic and Social Council decision 1978/10 and modified by Council decision 1981/158 and resolution 1982/33 shall be renamed "Committee on Economic, Social and Cultural Rights" (hereinafter referred to as "the Committee");

39/ General Assembly resolution 2200 (XXI), annex.

40/ E/1985/17.

41/ E/1985/18.

(b) The Committee shall have 18 members who shall be experts with recognized competence in the field of human rights, serving in their personal capacity, due consideration being given to equitable geographical distribution and to the representation of different forms of social and legal systems; to this end, 15 seats will be equally distributed among the regional groups, while the additional three seats will be allocated in accordance with the increase in the total number of States parties per regional group;

(c) The members of the Committee shall be elected by the Council by secret ballot from a list of persons nominated by States parties to the International Covenant on Economic, Social and Cultural Rights under the following conditions:

- (i) The members of the Committee shall be elected for a term of four years and shall be eligible for re-election at the end of their term, if renominated;
- (ii) One half of the membership of the Committee shall be renewed every second year, bearing in mind the need to maintain the equitable geographical distribution mentioned in subparagraph (b) above;
- (iii) The first elections shall take place during the Council's first regular session of 1986; immediately after the first elections, the President of the Council shall choose by lot the names of nine members whose term shall expire at the end of two years;
- (iv) The terms of office of members elected to the Committee shall begin on 1 January following their election and expire on 31 December following the election of members that are to succeed them as members of the Committee;
- (v) Subsequent elections shall take place every second year during the first regular session of the Council;
- (vi) At least four months before the date of each election to the Committee the Secretary-General shall address a written invitation to the States parties to the Covenant to submit their nominations for membership of the Committee within three months; the Secretary-General shall prepare a list of the persons thus nominated, with an indication of the States parties which have nominated them, and shall submit it to the Council no later than one month before the date of each election;

(d) The Committee shall meet annually for a period of up to three weeks, taking into account the number of reports to be examined by the Committee, with the venue alternating between Geneva and New York;

(e) The members of the Committee shall receive travel and subsistence expenses from United Nations resources;

(f) The Committee shall submit to the Council a report on its activities, including a summary of its consideration of the reports submitted by States parties to the Covenant, and shall make suggestions and recommendations of a general nature on the basis of its consideration of those reports and of the reports submitted by the specialized agencies, in order to assist the Council to fulfil, in particular, its responsibilities under articles 21 and 22 of the Covenant;

(g) The Secretary-General shall provide the Committee with summary records of its proceedings, which shall be made available to the Council at the same time as the report of the Committee; the Secretary-General shall further provide the Committee with the necessary staff and facilities for the effective performance of its functions, bearing in mind the need to give adequate publicity to its work;

(h) The procedures and methods of work established by Council resolution 1979/43 and the other resolutions and decisions referred to in the preamble to the present resolution shall remain in force in so far as they are not superseded or modified by the present resolution;

(i) The Council shall review the composition, organization and administrative arrangements of the Committee at its first regular session of 1990, and subsequently every five years, taking into account the principle of equitable geographical distribution of its membership.

22nd plenary meeting
28 May 1985

1985/132. Reporting procedure under article 16 of the International Covenant on Economic, Social and Cultural Rights

At its 22nd plenary meeting, on 28 May 1985, the Council, taking note of the recommendation contained in paragraph 34 of the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 136/ decided, while maintaining the current programme of biennial reports for the first cycle of the reporting procedure under article 16 of the Covenant, to prolong by one year the periodicity of reporting under the second and subsequent cycle of the reporting procedure.

136/ E/1985/18.

1986/102. Venue of the meetings of the Committee on
Economic, Social and Cultural Rights

At its 4th plenary meeting, on 7 February 1986, the Economic and Social Council, having reconsidered its resolution 1985/17 of 28 May 1985 in pursuance of section VII of General Assembly resolution 40/252 of 18 December 1985, decided that sessions of the Committee on Economic, Social and Cultural Rights should be held at Geneva, in accordance with the principle laid down in paragraph 4 of section I of Assembly resolution 31/140 of 17 December 1976.

1986/3. Implementation of the International Covenant
on Economic, Social and Cultural Rights

The Economic and Social Council,

Recalling that the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of life in larger freedom,

Recalling the International Covenant on Economic, Social and Cultural Rights 5/ and the International Covenant on Civil and Political Rights, 5/ and reaffirming that all human rights and fundamental freedoms are indivisible 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,

Recalling its resolution 1988 (LX) of 11 May 1976, by which it noted the important responsibilities placed upon the Economic and Social Council by the International Covenant on Economic, Social and Cultural Rights, in particular those resulting from articles 21 and 22 of the Covenant, and expressed its readiness to fulfil those responsibilities,

Recalling also its decision 1978/10 of 3 March 1978, by which it decided to establish a Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, for the purpose of assisting the Council in the consideration of reports submitted by States parties to the Covenant,

Recalling further its resolution 1985/17 of 28 May 1985, by which it decided to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted, as from 1987, with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights,

Having considered the report of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 6/

1. Urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights;
2. Commends the States parties to the International Covenant on Economic, Social and Cultural Rights that have submitted their reports under article 16 of the Covenant;
3. Emphasizes the importance of the strictest compliance by States parties with their obligations under the Covenant;

5/ General Assembly resolution 2200 A (XXI), annex.

6/ E/1986/49.

4. Expresses its appreciation to the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights for the work it has accomplished since its establishment;
5. Takes note with appreciation of the report of the Sessional Working Group;
6. Requests the Secretary-General to bring to the attention of the Committee on Economic, Social and Cultural Rights, at its session in 1987, the suggestions and recommendations of the Sessional Working Group;
7. Urges all States parties to the Covenant to extend their full co-operation and support to the Committee on Economic, Social and Cultural Rights;
8. Decides to include the question of the International Covenant on Economic, Social and Cultural Rights in the provisional agenda for its first regular session of 1987.

16th plenary meeting
21 May 1986

1986/123. First session of the Committee on Economic,
Social and Cultural Rights

At its 16th plenary meeting, on 21 May 1986, the Economic and Social Council decided that the first session of the Committee on Economic, Social and Cultural Rights would be held at Geneva from 9 to 27 March 1987.

1987/5. International Covenant on Economic, Social
and Cultural Rights

The Economic and Social Council,

Mindful of its central responsibilities under the International Covenant on Economic, Social and Cultural Rights,

Recalling its resolution 1985/17 of 28 May 1985, by which it established the Committee on Economic, Social and Cultural Rights, to be entrusted from 1987 with the important task of examining the implementation of the International Covenant on Economic, Social and Cultural Rights,

Recalling also its resolutions and decisions relating to its Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, including resolution 1979/43 of 11 May 1979, which remain in force in so far as they are not superseded or modified by resolution 1985/17,

Reaffirming the importance of increasing public awareness of the Committee and the role that non-governmental organizations can play in that regard,

Recalling General Assembly resolution 41/121 of 4 December 1986 on reporting obligations under United Nations instruments on human rights, which is of relevance to the Committee on Economic, Social and Cultural Rights and in which the Assembly reaffirmed the importance of maintaining summary records, and bearing in mind the relevance to the work of the Committee of the activities and experience of other United Nations treaty bodies,

1. Takes note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its first session, 1/ including suggestions and recommendations of a general nature approved by the Committee; 2/

2. Urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights;

3. Invites States parties to the International Covenant on Economic, Social and Cultural Rights to follow the recommendations made by the Committee to address the problems of non-submission and extended delays in the submission of periodic reports, in particular the need for States parties to submit and present their reports in a timely manner and to cover the entire cycle of initial reports before submitting second reports;

4. Invites also States parties to the Covenant to review the processes followed in the preparation of their periodic reports on implementation of the Covenant, including consultation and co-ordination with relevant governmental

1/ E/1987/L.15; for the final text, see Official Records of the Economic and Social Council, 1987, Supplement No. 17 (E/1987/28).

2/ Ibid., chap. III.

departments and agencies, compilation of data, and training of staff, with a view to ensuring full compliance with relevant guidelines improving the quality of description and analysis in such reports, and limiting reports to a reasonable length;

5. Urges the specialized agencies, regional commissions and other relevant United Nations bodies to extend their full co-operation and support to the Committee on Economic, Social and Cultural Rights by, inter alia, enabling their representatives to attend meetings of the Committee and submitting relevant information to the Committee;

6. Invites non-governmental organizations in consultative status with the Council to submit to it written statements that might contribute to full and universal recognition and realization of the rights contained in the International Covenant on Economic, Social and Cultural Rights, and requests the Secretary-General to make those statements available to the Committee in a timely manner;

7. Takes note of the recommendation of the Committee with regard to future sessions of the Committee but considers that the current provision of one annual session of three weeks' duration should be maintained for the time being and invites the Committee to explore further ways of expediting its consideration of periodic reports, such as by imposing time-limits on oral interventions, avoiding duplication in questioning, requesting supplementary written material, and encouraging States parties to present reports that are as succinct as possible;

8. Welcomes the proposal of the Committee to set up a sessional working group to consider its methods of work and invites the Committee to develop as a matter of priority its general guidelines for the preparation of reports pursuant to articles 16 and 17 of the Covenant, taking due account of the compilation of guidelines prepared by the Secretary-General, and focusing on such specific information as would assist the Committee to carry out its mandate more effectively;

9. Invites the Committee to consider again at its next session the compilation of recommendations in the summary records of the Committee relating to its future work, paying particular regard to practices followed by other treaty bodies, including the preparation of general comments by the Human Rights Committee;

10. Requests the Secretary-General to bring the report of the Committee to the attention of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and other United Nations organs and their subsidiaries, specialized agencies concerned with providing technical assistance and the regional commissions;

11. Requests the Secretary-General to continue his efforts under the programme of advisory services in the field of human rights to assist States parties in discharging their reporting obligations under the Covenant, including holding training courses on the preparation of reports on the implementation of the Covenant, and requests the Secretary-General to advise States parties of the availability of such assistance;

12. Encourages the Secretary-General to give publicity to the proceedings of the Committee on Economic, Social and Cultural Rights and to ensure that it receives full administrative support so as to enable it to discharge its functions as effectively as possible;

13. Requests the Secretary-General to provide a compilation from official United Nations sources of statistics relevant to the Committee's consideration of the reports of States parties.

14. Decides to transmit the report of the Committee to the General Assembly at its forty-second session for consideration under the item on the International Covenants on Human Rights.

14th plenary meeting
26 May 1987

1988/4. International Covenant on Economic, Social
and Cultural Rights

The Economic and Social Council,

Mindful of its central responsibilities under the International Covenant on Economic, Social and Cultural Rights, 1/

Recalling its resolution 1985/17 of 28 May 1985, by which it established the Committee on Economic, Social and Cultural Rights, to be entrusted from 1987 with the important task of examining the implementation of the Covenant,

Recalling also its resolutions and decisions relating to its Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights, including resolution 1979/43 of 11 May 1979, which remain in force in so far as they are not superseded or modified by the provisions of resolution 1985/17,

Reaffirming the importance of increasing public awareness of the Committee on Economic, Social and Cultural Rights and the role that non-governmental organizations can play in that regard,

Recalling General Assembly resolutions 41/121 of 4 December 1986 and 42/105 of 7 December 1987 on reporting obligations under United Nations instruments on human rights, which are of relevance to the Committee on Economic, Social and Cultural Rights and that in those resolutions the Assembly reaffirmed the importance of maintaining summary records of the proceedings of the bodies supervising the implementation of United Nations instruments on human rights, and bearing in mind the relevance to the work of the Committee of the activities and experience of other United Nations treaty bodies,

Recalling also the request of the General Assembly, in its resolution 42/105, that it consider changing the periodicity of reporting under the International Covenant on Economic, Social and Cultural Rights, and the endorsement by the General Assembly, in its resolution 42/102 of 7 December 1987, of the invitation extended by the Economic and Social Council to the Committee to consider recommendations relating to its future work,

1. Takes note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its second session, 2/ including the conclusions and recommendations adopted by the Committee with respect to its future methods of work; 3/

1/ General Assembly resolution 2200 A (XXI), annex.

2/ E/1988/L.18 and Add.1; for the final text, see Official Records of the Economic and Social Council, 1988, Supplement No. 4 (E/1988/14).

3/ Ibid., chap. IV.

2. Urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights;
3. Invites States parties to the Covenant to follow the recommendations made by the Committee to address the problems of non-submission and extended delays in the submission of periodic reports, in particular the need to submit and present the reports in a timely manner and to complete the entire cycle of initial reports before submitting second reports, and requests the Secretary-General to send appropriate reminders to those States parties whose reports are overdue;
4. Welcomes the decisions taken by the Committee on the action it should take to seek supplementary information in cases where reports are incomplete;
5. Invites States parties to the Covenant to review the processes followed in the preparation of their periodic reports on the implementation of the Covenant, including consultation and co-ordination with appropriate governmental departments and agencies, compilation of data and training of staff, and to hold, as appropriate, consultations with interested non-governmental organizations with a view to ensuring full compliance with relevant guidelines, improving the quality of description and analysis in such reports and limiting reports to a reasonable length;
6. Endorses the recommendation of the Committee that States parties be requested to submit a single report within two years of the entry into force of the Covenant for the State party concerned and thereafter at five-year intervals, and requests the Secretary-General to inform States parties to the Covenant of this decision;
7. Welcomes the decision of the Committee to revise and simplify the guidelines for reports of States parties and to place limits on the time devoted to the consideration of the report of each State party;
8. Endorses the request of the Committee that the Secretary-General prepare a report showing clearly the extent and nature of any overlapping of issues dealt with in the principal human rights treaties, with a view to reducing, as appropriate, duplication in the different supervisory bodies of issues raised with respect to any given State party;
9. Takes note of the recommendation of the Committee on its future sessions, but considers that, in view of the various recommendations made by the Committee to expedite its consideration of periodic reports, the current provision for one annual session of three weeks' duration should be maintained for the time being;
10. Authorizes the Committee to establish, within available resources, a pre-sessional working group to meet for a period of up to one week prior to each session;
11. Agrees that an effort should be made to avoid overlapping of future sessions of the Committee with sessions of the Commission on Human Rights;

12. Takes note of the decision of the Committee to devote one day during each session to a general discussion of one specific right or a particular article of the Covenant in order to develop in greater depth its understanding of the relevant issues;

13. Welcomes the decision of the Committee to prepare general comments, based on the various articles and provisions of the Covenant, with a view to assisting States parties in fulfilling their reporting obligations, paying particular attention to relevant practices followed by other treaty bodies, and takes note of the methods of work to be followed at future sessions of the Committee;

14. Urges the Committee to encourage States parties, in conformity with article 2, paragraph 1, of the Covenant, to consider identifying bench-marks for measuring achievements in the progressive realization of the rights recognized in the Covenant and, in this context, to pay particular regard to the most vulnerable and disadvantaged persons;

15. Urges the specialized agencies, the regional commissions and other appropriate United Nations bodies, in particular the United Nations Development Programme, to extend their full co-operation and support to the Committee on Economic, Social and Cultural Rights by, inter alia, enabling their representatives to attend meetings of the Committee and submitting relevant information to the Committee;

16. Invites non-governmental organizations in consultative status with the Council to submit to the Committee written statements that might contribute to full and universal recognition and realization of the rights set forth in the Covenant, requests the Secretary-General to make those statements available to the Committee in a timely manner and thanks those organizations that submitted written statements to the Committee for consideration at its second session;

17. Requests the Secretary-General to bring the report of the Committee to the attention of the Commission on Human Rights, its Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, other United Nations organs and their subsidiaries, specialized agencies concerned with providing technical assistance and the regional commissions;

18. Requests the Secretary-General to continue his efforts under the programme of advisory services on human rights to assist States parties in discharging their reporting obligations under the Covenant, including the holding of training courses on the preparation of reports on the implementation of the Covenant, and requests the Secretary-General to advise States parties of the availability of such assistance;

19. Takes note with appreciation of the conclusions of the Committee on the importance of greater publicity for its work, and encourages the Secretary-General to give publicity to the proceedings of the Committee and to ensure that it receives full administrative support so as to enable it to discharge its functions as effectively as possible;

20. Requests the Secretary-General to continue to provide the Committee, upon its request, with relevant data from official United Nations source, including information from the specialized agencies and the regional commissions;

21. Decides to transmit the report of the Committee to the General Assembly at its forty-third session for consideration under the agenda item entitled "International Covenants on Human Rights".

12th plenary meeting
24 May 1988