



# INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Senate Consideration of Treaty Document 95-20

**Formal Title**

The International Covenant on Civil and Political Rights, signed on behalf of the United States on October 5, 1977.

**Date Received from President**

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United Nations

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04/02/1992

Resolution of advice and consent to ratification agreed to in Senate by Division Vote.

Actions (7)

Text - Resolution of Ratification

Text - Treaty Document

Amendments (0)

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Date	Senate Actions
04/02/1992	Resolution of advice and consent to ratification agreed to in Senate by Division Vote.
03/24/1992	Reported by Mr. Pell, Committee on Foreign Relations, with printed report - Ex.Rept. 102-23. With reservations, understandings, declarations and a proviso.
11/19/1979	Hearings held.
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11/15/1979	Hearings held.
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**No. 14668**

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**MULTILATERAL**

**International Covenant on Civil and Political Rights.  
Adopted by the General Assembly of the United  
Nations on 19 December 1966**

**Optional Protocol to the above-mentioned Covenant.  
Adopted by the General Assembly of the United  
Nations on 19 December 1966**

*Authentic texts: English, French, Chinese, Russian and Spanish.  
Registered ex officio on 23 March 1976.*

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**MULTILATÉRAL**

**Pacte international relatif aux droits civils et politiques.  
Adopté par l'Assemblée générale des Nations Unies le  
19 décembre 1966**

**Protocole facultatif se rapportant au Pacte susmentionné.  
Adopté par l'Assemblée générale des Nations Unies le  
19 décembre 1966**

*Textes authentiques : anglais, français, chinois, russe et espagnol.  
Enregistrés d'office le 23 mars 1976.*

## INTERNATIONAL COVENANT<sup>1</sup> ON CIVIL AND POLITICAL RIGHTS

The States Parties to the present Covenant,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

<sup>1</sup> The Covenant, with the exception of article 41,\* came into force on 23 March 1976 in respect of the following States, i.e., three months after the date of deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or accession, in accordance with article 49 (1):\*\*

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>	<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Barbados***	5 January 1973a	Iraq***	25 January 1971
Bulgaria***	21 September 1970	(Signature affixed on 18 February 1969.)	
(Signature affixed on 8 October 1968.)		Jamaica	3 October 1975
Byelorussian Soviet Socialist Republic***	12 November 1973	(Signature affixed on 19 December 1966.)	
(Signature affixed on 19 March 1968.)		Jordan	28 May 1975
Chile	10 February 1972	(Signature affixed on 30 June 1972.)	
(Signature affixed on 16 September 1969.)		Kenya	1 May 1972a
Colombia	29 October 1969	Lebanon	3 November 1972a
(Signature affixed on 21 December 1966.)		Libyan Arab Republic***	15 May 1970a
Costa Rica	29 November 1968	Madagascar	21 June 1971
(Signature affixed on 19 December 1966.)		(Signature affixed on 17 September 1969.)	
Cyprus	2 April 1969	Mali	16 July 1974a
(Signature affixed on 19 December 1966.)		Mauritius	12 December 1973a
Czechoslovakia***	23 December 1975	Mongolia***	18 November 1974
(Signature affixed on 7 October 1968.)		(Signature affixed on 5 June 1968.)	
Denmark***	6 January 1972	Norway****	13 September 1972
(Signature affixed on 20 March 1968.)		(Signature affixed on 20 March 1968.)	
Ecuador	6 March 1969	Romania***	9 December 1974
(Signature affixed on 4 April 1968.)		Rwanda	16 April 1975a
Finland*,***	19 August 1975	Sweden****	6 December 1971
(Signature affixed on 11 October 1967.)		(Signature affixed on 29 September 1967.)	
German Democratic Republic***	8 November 1973	Syrian Arab Republic***	21 April 1969a
(Signature affixed on 27 March 1973.)		Tunisia	18 March 1969
Germany, Federal Republic of***	17 December 1973	(Signature affixed on 30 April 1968.)	
(With a declaration of application to Berlin (West).)†		Ukrainian Soviet Socialist Republic***	12 November 1973
(Signature affixed on 9 October 1968.)		(Signature affixed on 20 March 1968.)	
Hungary***	17 January 1974	Union of Soviet Socialist Republics***	16 October 1973
(Signature affixed on 25 March 1969.)		(Signature affixed on 18 March 1968.)	
Iran	24 June 1975	Uruguay	1 April 1970
(Signature affixed on 4 April 1968.)		(Signature affixed on 21 February 1967.)	
		Yugoslavia	2 June 1971
		(Signature affixed on 8 August 1967.)	

(Continued on page 173)

Recognizing that these rights derive from the inherent dignity of the human person,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,

Agree upon the following articles:

## PART I

*Article 1.* 1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

## PART II

*Article 2.* 1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present

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(Footnote continued from page 172)

\*See p. 300 of this volume for the texts of the declarations recognizing the competence of the Human Rights Committee under article 41.

\*\*Several of the 35 instruments deposited were accompanied by reservations, about which the Covenant is silent. In this regard, the Secretary-General, on the basis of the consultations that he held in the same circumstances with respect to the International Covenant on Economic, Social and Cultural Rights (see No. I-14531 of volume 993), has considered that the States concerned did not object to the entry into force of the International Covenant on Civil and Political Rights on 23 March 1976.

\*\*\*See p. 288 of this volume for the texts of the declarations and reservations made upon ratification or accession.

†The following countries made declarations regarding the declaration made upon ratification by the Federal Republic of Germany: France, German Democratic Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America. For the texts of the said declarations, see No. I-14531 in volume 993.

Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

- (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
- (b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
- (c) To ensure that the competent authorities shall enforce such remedies when granted.

*Article 3.* The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

*Article 4.* 1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

*Article 5.* 1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

### PART III

*Article 6.* 1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the

Crime of Genocide.<sup>1</sup> This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

*Article 7.* No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

*Article 8.* 1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

3. (a) No one shall be required to perform forced or compulsory labour.

(b) Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court.

(c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include:

- (i) Any work or service, not referred to in sub-paragraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention;
- (ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;
- (iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;
- (iv) Any work or service which forms part of normal civil obligations.

*Article 9.* 1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

<sup>1</sup> United Nations, *Treaty Series*, vol. 78, p. 277.

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

*Article 10.* 1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

2. (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons.

(b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.

*Article 11.* No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.

*Article 12.* 1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

2. Everyone shall be free to leave any country, including his own.

3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.

4. No one shall be arbitrarily deprived of the right to enter his own country.

*Article 13.* An alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.

*Article 14.* 1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The Press and the public may be excluded from all or part of a trial for reasons of morals, public order (*ordre public*) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

- (a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
- (b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;
- (c) To be tried without undue delay;
- (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
- (e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;
- (g) Not to be compelled to testify against himself or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

6. When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

7. No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

*Article 15.* 1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

*Article 16.* Everyone shall have the right to recognition everywhere as a person before the law.

*Article 17.* 1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

2. Everyone has the right to the protection of the law against such interference or attacks.



*Article 18.* 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

*Article 19.* 1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

*Article 20.* 1. Any propaganda for war shall be prohibited by law.

2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

*Article 21.* The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

*Article 22.* 1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.

3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning freedom of association and protection of the right to organize<sup>1</sup> to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

<sup>1</sup> United Nations, *Treaty Series*, vol. 68, p. 17.

*Article 23.* 1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

2. The right of men and women of marriageable age to marry and to found a family shall be recognized.

3. No marriage shall be entered into without the free and full consent of the intending spouses.

4. States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.

*Article 24.* 1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

2. Every child shall be registered immediately after birth and shall have a name.

3. Every child has the right to acquire a nationality.

*Article 25.* Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

*Article 26.* All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

*Article 27.* In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

#### PART IV

*Article 28.* 1. There shall be established a Human Rights Committee (hereafter referred to in the present Covenant as the Committee). It shall consist of eighteen members and shall carry out the functions hereinafter provided.

2. The Committee shall be composed of nationals of the States Parties to the present Covenant who shall be persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience.

3. The members of the Committee shall be elected and shall serve in their personal capacity.

*Article 29.* 1. The members of the Committee shall be elected by secret ballot from a list of persons possessing the qualifications prescribed in article 28 and nominated for the purpose by the States Parties to the present Covenant.

2. Each State Party to the present Covenant may nominate not more than two persons. These persons shall be nationals of the nominating State.

3. A person shall be eligible for renomination.

*Article 30.* 1. The initial election shall be held no later than six months after the date of the entry into force of the present Covenant.

2. At least four months before the date of each election to the Committee, other than an election to fill a vacancy declared in accordance with article 34, the Secretary-General of the United Nations shall address a written invitation to the States Parties to the present Covenant to submit their nominations for membership of the Committee within three months.

3. The Secretary-General of the United Nations shall prepare a list in alphabetical order of all the persons thus nominated, with an indication of the States Parties which have nominated them, and shall submit it to the States Parties to the present Covenant no later than one month before the date of each election.

4. Elections of the members of the Committee shall be held at a meeting of the States Parties to the present Covenant convened by the Secretary-General of the United Nations at the Headquarters of the United Nations. At that meeting, for which two thirds of the States Parties to the present Covenant shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

*Article 31.* 1. The Committee may not include more than one national of the same State.

2. In the election of the Committee, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems.

*Article 32.* 1. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these nine members shall be chosen by lot by the Chairman of the meeting referred to in article 30, paragraph 4.

2. Elections at the expiry of office shall be held in accordance with the preceding articles of this part of the present Covenant.

*Article 33.* 1. If, in the unanimous opinion of the other members, a member of the Committee has ceased to carry out his functions for any cause other than absence of a temporary character, the Chairman of the Committee shall notify the Secretary-General of the United Nations, who shall then declare the seat of that member to be vacant.

2. In the event of the death or the resignation of a member of the Committee, the Chairman shall immediately notify the Secretary-General of the United Nations, who shall declare the seat vacant from the date of death or the date on which the resignation takes effect.

*Article 34.* 1. When a vacancy is declared in accordance with article 33 and if the term of office of the member to be replaced does not expire within six months

of the declaration of the vacancy, the Secretary-General of the United Nations shall notify each of the States Parties to the present Covenant, which may within two months submit nominations in accordance with article 29 for the purpose of filling the vacancy.

2. The Secretary-General of the United Nations shall prepare a list in alphabetical order of the persons thus nominated and shall submit it to the States Parties to the present Covenant. The election to fill the vacancy shall then take place in accordance with the relevant provisions of this part of the present Covenant.

3. A member of the Committee elected to fill a vacancy declared in accordance with article 33 shall hold office for the remainder of the term of the member who vacated the seat on the Committee under the provisions of that article.

*Article 35.* The members of the Committee shall, with the approval of the General Assembly of the United Nations, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide, having regard to the importance of the Committee's responsibilities.

*Article 36.* The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Covenant.

*Article 37.* 1. The Secretary-General of the United Nations shall convene the initial meeting of the Committee at the Headquarters of the United Nations.

2. After its initial meeting, the Committee shall meet at such times as shall be provided in its rules of procedure.

3. The Committee shall normally meet at the Headquarters of the United Nations or at the United Nations Office at Geneva.

*Article 38.* Every member of the Committee shall, before taking up his duties, make a solemn declaration in open committee that he will perform his functions impartially and conscientiously.

*Article 39.* 1. The Committee shall elect its officers for a term of two years. They may be re-elected.

2. The Committee shall establish its own rules of procedure, but these rules shall provide, *inter alia*, that:

(a) Twelve members shall constitute a quorum;

(b) Decisions of the Committee shall be made by a majority vote of the members present.

*Article 40.* 1. The States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights:

(a) Within one year of the entry into force of the present Covenant for the States Parties concerned;

(b) Thereafter whenever the Committee so requests.

2. All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit them to the Committee for consideration. Reports shall indicate the factors and difficulties, if any, affecting the implementation of the present Covenant.

3. The Secretary-General of the United Nations may, after consultation with the Committee, transmit to the specialized agencies concerned copies of such parts of the reports as may fall within their field of competence.

4. The Committee shall study the reports submitted by the States Parties to the present Covenant. It shall transmit its reports, and such general comments as it may consider appropriate, to the States Parties. The Committee may also transmit to the Economic and Social Council these comments along with the copies of the reports it has received from States Parties to the present Covenant.

5. The States Parties to the present Covenant may submit to the Committee observations on any comments that may be made in accordance with paragraph 4 of this article.

*Article 41.* 1. A State Party to the present Covenant may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant. Communications under this article may be received and considered only if submitted by a State Party which has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(a) If a State Party to the present Covenant considers that another State Party is not giving effect to the provisions of the present Covenant, it may, by written communication, bring the matter to the attention of that State Party. Within three months after the receipt of the communication, the receiving State shall afford the State which sent the communication an explanation or any other statement in writing clarifying the matter, which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending, or available in the matter.

(b) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State.

(c) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.

(d) The Committee shall hold closed meetings when examining communications under this article.

(e) Subject to the provisions of sub-paragraph (c), the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of respect for human rights and fundamental freedoms as recognized in the present Covenant.

(f) In any matter referred to it, the Committee may call upon the States Parties concerned, referred to in sub-paragraph (b), to supply any relevant information.

(g) The States Parties concerned, referred to in sub-paragraph (b), shall have the right to be represented when the matter is being considered in the Committee and to make submissions orally and/or in writing.

(h) The Committee shall, within twelve months after the date of receipt of notice under sub-paragraph (b), submit a report:

- (i) If a solution within the terms of sub-paragraph (e) is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;
- (ii) If a solution within the terms of sub-paragraph (e) is not reached, the Committee shall confine its report to a brief statement of the facts; the written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report.

In every matter, the report shall be communicated to the States Parties concerned.

2. The provisions of this article shall come into force when ten States Parties to the present Covenant have made declarations under paragraph 1 of this article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter which is the subject of a communication already transmitted under this article; no further communication by any State Party shall be received after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

*Article 42.* 1. (a) If a matter referred to the Committee in accordance with article 41 is not resolved to the satisfaction of the States Parties concerned, the Committee may, with the prior consent of the States Parties concerned, appoint an *ad hoc* Conciliation Commission (hereinafter referred to as the Commission). The good offices of the Commission shall be made available to the States Parties concerned with a view to an amicable solution of the matter on the basis of respect for the present Covenant.

(b) The Commission shall consist of five persons acceptable to the States Parties concerned. If the States Parties concerned fail to reach agreement within three months on all or part of the composition of the Commission the members of the Commission concerning whom no agreement has been reached shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its members.

2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States Parties concerned, or of a State not party to the present Covenant, or of a State Party which has not made a declaration under article 41.

3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

4. The meetings of the Commission shall normally be held at the Headquarters of the United Nations or at the United Nations Office at Geneva. However, they may be held at such other convenient places as the Commission may determine in consultation with the Secretary-General of the United Nations and the States Parties concerned.

5. The secretariat provided in accordance with article 36 shall also service the commissions appointed under this article.

6. The information received and collated by the Committee shall be made available to the Commission and the Commission may call upon the States Parties concerned to supply any other relevant information.

7. When the Commission has fully considered the matter, but in any event not later than twelve months after having been seized of the matter, it shall submit to the Chairman of the Committee a report for communication to the States Parties concerned.

- (a) If the Commission is unable to complete its consideration of the matter within twelve months, it shall confine its report to a brief statement of the status of its consideration of the matter.
- (b) If an amicable solution to the matter on the basis of respect for human rights as recognized in the present Covenant is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached.
- (c) If a solution within the terms of sub-paragraph (b) is not reached, the Commission's report shall embody its findings on all questions of fact relevant to the issues between the States Parties concerned, and its views on the possibilities of an amicable solution of the matter. This report shall also contain the written submissions and a record of the oral submissions made by the States Parties concerned.
- (d) If the Commission's report is submitted under sub-paragraph (c), the States Parties concerned shall, within three months of the receipt of the report, notify the Chairman of the Committee whether or not they accept the contents of the report of the Commission.

8. The provisions of this article are without prejudice to the responsibilities of the Committee under article 41.

9. The States Parties concerned shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

10. The Secretary-General of the United Nations shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States Parties concerned, in accordance with paragraph 9 of this article.

*Article 43.* The members of the Committee, and of the *ad hoc* conciliation commissions which may be appointed under article 42, shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.<sup>1</sup>

*Article 44.* The provisions for the implementation of the present Covenant shall apply without prejudice to the procedures prescribed in the field of human rights by or under the constituent instruments and the conventions of the United Nations and of the specialized agencies and shall not prevent the States Parties to the present Covenant from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

*Article 45.* The Committee shall submit to the General Assembly of the United Nations through the Economic and Social Council, an annual report on its activities.

## PART V

*Article 46.* Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the

<sup>1</sup> United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Covenant.

*Article 47.* Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

## PART VI

*Article 48.* 1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a party to the present Covenant.

2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Covenant shall be open to accession by any State referred to in paragraph 1 of this article.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed this Covenant or acceded to it of the deposit of each instrument of ratification or accession.

*Article 49.* 1. The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

*Article 50.* The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

*Article 51.* 1. Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General of the United Nations shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.



3. When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

*Article 52.* Irrespective of the notifications made under article 48, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph 1 of the same article of the following particulars:

- (a) Signatures, ratifications and accessions under article 48;
- (b) The date of the entry into force of the present Covenant under article 49 and the date of the entry into force of any amendments under article 51.

*Article 53.* 1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 48.

IN FAITH WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Covenant, opened for signature at New York, on the nineteenth day of December, one thousand nine hundred and sixty-six.

FOR AFGHANISTAN:  
POUR L'AFGHANISTAN:  
阿富汗:  
За Афганистан:  
POR EL AFGANISTÁN:

FOR ALBANIA:  
POUR L'ALBANIE:  
阿爾巴尼亞:  
За Албанию:  
POR ALBANIA:

FOR ALGERIA:  
POUR L'ALGÉRIE:  
阿爾及利亞:  
За Алжир:  
POR ARGELIA:

TEWFIK BOUATTOURA  
10 December 1968

FOR ARGENTINA:  
POUR L'ARGENTINE:  
阿根廷:  
За Аргентину:  
POR LA ARGENTINA:

RUDA  
19 febrero 1968<sup>1</sup>

FOR AUSTRALIA:  
POUR L'AUSTRALIE:  
澳大利亞:  
За Австралию:  
POR AUSTRALIA:

LAURENCE RUPERT MCINTYRE  
18 December 1972

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<sup>1</sup> 19 February 1968 — 19 février 1968.

FOR AUSTRIA:  
POUR L'AUTRICHE:  
奧地利:  
За Австрию:  
POR AUSTRIA:

PETER JANKOWITSCH  
10 décembre 1973

FOR BARBADOS:  
POUR LA BARBADE:  
巴貝多:  
За Барбадос:  
POR BARBADOS:

FOR BELGIUM:  
POUR LA BELGIQUE:  
比利時:  
За Бельгию:  
POR BÉLGICA:

C. SCHUURMANS  
10 décembre 1968

FOR BOLIVIA:  
POUR LA BOLIVIE:  
玻利維亞:  
За Боливию:  
POR BOLIVIA:

FOR BOTSWANA:  
POUR LE BOTSWANA:  
波扎那:  
За Ботсвану:  
POR BOTSWANA:

FOR BRAZIL:  
POUR LE BRÉSIL:  
巴西:  
За Бразилию:  
POR EL BRASIL:

FOR BULGARIA:  
POUR LA BULGARIE:  
保加利亞:  
За България:  
FOR BULGARIA:

МИЛКО ТАРАБАНОВ<sup>1</sup>  
8 octobre 1968

FOR BURMA:  
POUR LA BIRMANIE:  
緬甸:  
За Бирму:  
FOR BIRMANIA:

FOR BURUNDI:  
POUR LE BURUNDI:  
布隆提:  
За Бурунди:  
FOR BURUNDI:

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC<sup>2</sup>:  
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE<sup>2</sup>:  
白俄羅斯蘇維埃社會主義共和國:  
За Белорусскую Советскую Социалистическую Республику:  
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

ГЕРАДОТ ГАЎРЫЛАВІЧ ЧАРНУШЧАНКО<sup>3</sup>  
19 марта 1968<sup>4</sup>

<sup>1</sup> Milko Tarabanov.

<sup>2</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature — Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>3</sup> Geradot Gavrilovich Chernushchenko — Geradote Gavrilovitch Tchernuchtchenko.

<sup>4</sup> 19 March 1968 — 19 mars 1968.

FOR CAMBODIA:

POUR LE CAMBODGE:

柬埔寨:

За Камбоджу:

FOR CAMBOYA:

FOR CAMEROON:

POUR LE CAMEROUN:

喀麥隆:

За Камерун:

FOR EL CAMERÚN:

FOR CANADA:

POUR LE CANADA:

加拿大:

За Канаду:

FOR EL CANADÁ:

FOR THE CENTRAL AFRICAN REPUBLIC:

POUR LA RÉPUBLIQUE CENTRAFRICAINE:

中非共和國:

За Центральноафриканскую Республику:

FOR LA REPÚBLICA CENTROAFRICANA:

FOR CEYLON:

POUR CEYLAN:

錫蘭:

За Цейлон:

FOR CEILÁN:

FOR CHAD:

POUR LE TCHAD:

乍德:

За Чад:

FOR EL CHAD:

FOR CHILE:  
POUR LE CHILI:  
智利:  
За Чили:  
POR CHILE:

JOSÉ PIÑERA CARVALLO  
Sept. 16, 1969

FOR CHINA:  
POUR LA CHINE:  
中國:  
За Китай:  
POR CHINA:

[Signed — Signé]<sup>1, 2</sup>

FOR COLOMBIA:  
POUR LA COLOMBIE:  
哥倫比亞:  
За Колумбию:  
POR COLOMBIA:

EVARISTO SOURDIS  
Dic. 21 de 1966<sup>3</sup>

FOR THE CONGO (BRAZZAVILLE):  
POUR LE CONGO (BRAZZAVILLE):  
剛果 (布拉斯維爾):  
За Конго (Браззавиль):  
POR EL CONGO (BRAZZAVILLE):

<sup>1</sup> Signature affixed by Liu Chieh on 5 October 1967 — La signature a été apposée par Liu Chieh le 5 octobre 1967.

<sup>2</sup> The following countries made declarations relating to the signature on behalf of the Government of the Republic of China: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Mongolia, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Yugoslavia. For the texts of the said declarations, see No. I-14531 in volume 993 — Les pays suivants ont fait des déclarations relatives à la signature au nom du Gouvernement de la République de Chine : la Bulgarie, la République socialiste soviétique de Biélorussie, la Tchécoslovaquie, la Mongolie, la Roumanie, la République socialiste soviétique d'Ukraine, l'Union des Républiques socialistes soviétiques et la Yougoslavie. Pour les textes desdites déclarations, voir n° I-14531 dans le volume 993.

<sup>3</sup> 21 December 1966 — 21 décembre 1966.

FOR THE CONGO (DEMOCRATIC REPUBLIC OF):  
POUR LE CONGO (RÉPUBLIQUE DÉMOCRATIQUE DU):  
剛果 (民主共和國):  
За Демократическую Республику Конго:  
POR EL CONGO (REPÚBLICA DEMOCRÁTICA DE):

FOR COSTA RICA:  
POUR LE COSTA RICA:  
哥斯大黎加:  
За Коста-Рику:  
POR COSTA RICA:

LUIS D. TINOCO

FOR CUBA:  
POUR CUBA:  
古巴:  
За Кубу:  
POR CUBA:

FOR CYPRUS:  
POUR CHYPRE:  
賽普勒斯:  
За Кипр:  
POR CHIPRE:

ZENON ROSSIDES

FOR CZECHOSLOVAKIA<sup>1</sup>:  
POUR LA TCHÉCOSLOVAQUIE<sup>1</sup>:  
捷克斯拉夫:  
За Чехословакию:  
POR CHECOSLOVAQUIA:

VÁCLAV PLESKOT  
7.10.1968<sup>2</sup>

<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature—Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>2</sup> 7 October 1968—7 octobre 1968.

FOR DAHOMEY:  
POUR LE DAHOMEY:  
達荷美:  
За Дагомею:  
POR EL DAHOMEY:

FOR DENMARK:  
POUR LE DANEMARK:  
丹麥:  
За Данию:  
POR DINAMARCA:

OTTO ROSE BORCH  
March 20, 1968

FOR THE DOMINICAN REPUBLIC:  
POUR LA RÉPUBLIQUE DOMINICAINE:  
多明尼加共和國:  
За Доминиканскую Республику:  
POR LA REPÚBLICA DOMINICANA:

FOR ECUADOR:  
POUR L'ÉQUATEUR:  
厄瓜多:  
За Эквадор:  
POR EL ECUADOR:

HUGO FÁTIMA ORTIZ  
Abril 4 de 1968<sup>1</sup>

FOR EL SALVADOR:  
POUR EL SALVADOR:  
薩爾瓦多:  
За Сальвадор:  
POR EL SALVADOR:

ALFREDO MARTÍNEZ MORENO  
Septiembre 21, 1967<sup>2</sup>

<sup>1</sup> 4 April 1968 — 4 avril 1968.

<sup>2</sup> 21 September 1967 — 21 septembre 1967.



FOR ETHIOPIA:  
POUR L'ETHIOPIE:  
衣索比亞:  
За Эфиопию:  
POR ETIOPÍA:

FOR THE FEDERAL REPUBLIC OF GERMANY:  
POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:  
德意志聯邦共和國:  
За Федеративную Республику Германии:  
POR LA REPÚBLICA FEDERAL DE ALEMANIA:  
WILLY BRANDT  
9/10-1968<sup>1</sup>

FOR FINLAND:  
POUR LA FINLANDE:  
芬蘭:  
За Финляндию:  
POR FINLANDIA:

AHTI KARJALAINEN  
11/10/67<sup>2</sup>

FOR FRANCE:  
POUR LA FRANCE:  
法蘭西:  
За Францию:  
POR FRANCIA:

FOR GABON:  
POUR LE GABON:  
加彭:  
За Габон:  
POR EL GABÓN:

<sup>1</sup> 9 October 1968 — 9 octobre 1968.

<sup>2</sup> 11 October 1967 — 11 octobre 1967.

**FOR GAMBIA:**  
**POUR LA GAMBIE:**  
**岡比亞:**  
**За Гамбию:**  
**POR GAMBIA:**

**FOR THE GERMAN DEMOCRATIC REPUBLIC:**  
**POUR LA RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE:**  
**德意志民主共和国**  
**Германская Демократическая Республика:**  
**POR LA REPÚBLICA DEMOCRÁTICA ALEMANA:**

HURST GRUNERT  
27.3.73<sup>1</sup>

**FOR GHANA:**  
**POUR LE GHANA:**  
**迦納:**  
**За Гану:**  
**POR GHANA:**

**FOR GREECE:**  
**POUR LA GRÈCE:**  
**希臘:**  
**За Грецию:**  
**POR GRECIA:**

**FOR GUATEMALA:**  
**POUR LE GUATEMALA:**  
**瓜地馬拉:**  
**За Гватемалу:**  
**POR GUATEMALA:**

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<sup>1</sup> 27 March 1973 — 27 mars 1973.

FOR GUINEA:  
POUR LA GUINÉE:  
幾內亞:  
За Гвинею:  
POR GUINEA:

MAROF ACHKAR  
Le 28 février 1967

FOR GUYANA:  
POUR LA GUYANE:  
蓋亞那:  
За Гвиану:  
POR GUYANA:

ANNE JARDIM  
August 22, 1968

FOR HAÏTI:  
POUR HAÏTI:  
海地:  
За Гаити:  
POR HAÏTÍ:

FOR THE HOLY SEE:  
POUR LE SAINT-SIÈGE:  
教廷:  
За Святейший престол:  
POR LA SANTA SEDE:

FOR HONDURAS:  
POUR LE HONDURAS:  
宏都拉斯:  
За Гондурас:  
POR HONDURAS:

H. LÓPEZ VILLAMIL

**FOR HUNGARY:**<sup>1</sup>  
**POUR LA HONGRIE:**<sup>1</sup>  
匈牙利:  
**За Венгрия:**  
**FOR HUNGRIA:**

KÁROLY CSATORDAY  
March 25, 1969

**FOR ICELAND:**  
**POUR L'ISLANDE:**  
冰島:  
**За Исландию:**  
**FOR ISLANDIA:**

HANNES KJARTANSSON  
30 Dec. 1968

**FOR INDIA:**  
**POUR L'INDE:**  
印度:  
**За Индию:**  
**FOR LA INDIA:**

**FOR INDONESIA:**  
**POUR L'INDONÉSIE:**  
印度尼西亞:  
**За Индонезию:**  
**FOR INDONESIA:**

**FOR IRAN:**  
**POUR L'IRAN:**  
伊朗:  
**За Иран:**  
**FOR EL IRÁN:**

Subject to ratification<sup>2</sup>  
MEHDI VAKIL  
4 April 1968

<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature— Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>2</sup> Sous réserve de ratification.

FOR IRAQ: <sup>1</sup>  
POUR L'IRAK: <sup>1</sup>  
伊拉克:  
За Ирак:  
POR EL IRAK:

ADNAN PACHACHI  
Feb. 18, 1969

FOR IRELAND:  
POUR L'IRLANDE:  
愛爾蘭:  
За Ирландию:  
POR IRLANDA:

JANET FITZGERALD  
1st October 1973

FOR ISRAEL:  
POUR ISRAËL:  
以色列:  
За Израиль:  
POR ISRAEL:

MICHAEL COMAY

FOR ITALY:  
POUR L'ITALIE:  
義大利:  
За Италию:  
POR ITALIA:

PIERO VINCI  
18 January 1967

FOR THE IVORY COAST:  
POUR LA CÔTE-D'IVOIRE:  
牙象海岸:  
За Берег Слоновой Кости:  
POR LA COSTA DE MARFIL:

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<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature — Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

**FOR JAMAICA:**  
**POUR LA JAMAÏQUE:**  
**牙買加:**  
**За Ямайку:**  
**FOR JAMAICA:**

E. R. RICHARDSON

**FOR JAPAN:**  
**POUR LE JAPON:**  
**日本:**  
**За Японию:**  
**FOR EL JAPÓN:**

**FOR JORDAN:**  
**POUR LA JORDANIE:**  
**約旦:**  
**За Иорданию:**  
**FOR JORDANIA:**

SHARIF ABDUL-HAMID SHARAF  
June 30, 1972

**FOR KENYA:**  
**POUR LE KENYA:**  
**肯亞:**  
**За Кению:**  
**FOR KENIA:**

**FOR KUWAIT:**  
**POUR LE KOWEÏT:**  
**科威特:**  
**За Кувейт:**  
**FOR KUWAIT:**

FOR LAOS:  
POUR LE LAOS:  
寮國:  
За Лаос:  
POR LAOS:

FOR LEBANON:  
POUR LE LIBAN:  
黎巴嫩:  
За Ливан:  
POR EL LIBANO:

FOR LESOTHO:  
POUR LE LESOTHO:  
賴索托:  
За Лесото:  
POR LESOTHO:

FOR LIBERIA:  
POUR LE LIBÉRIA:  
賴比瑞亞:  
За Либерию:  
POR LIBERIA:

NATHAN BARNES  
18th April 1967

FOR LIBYA:  
POUR LA LIBYE:  
利比亞:  
За Ливию:  
POR LIBIA:

FOR LIECHTENSTEIN:  
POUR LE LIECHTENSTEIN:  
列支敦斯登:  
За Лихтенштейн:  
POR LIECHTENSTEIN:

FOR LUXEMBOURG:  
POUR LE LUXEMBOURG:  
盧森堡:  
За Люксембург:  
POR LUXEMBURGO:

JEAN RETTEL  
Le 26 novembre 1974

FOR MADAGASCAR:  
POUR MADAGASCAR:  
馬達加斯加:  
За Мадагаскар:  
POR MADAGASCAR:

BLAISE RABETAFIKA  
17 septembre 1969

FOR MALAWI:  
POUR LE MALAWI:  
馬拉威:  
За Малави:  
POR MALAWI:

FOR MALAYSIA:  
POUR LA MALAISIE:  
馬來亞聯邦:  
За Малайскую Федерацию:  
POR MALASIA:



FOR THE MALDIVE ISLANDS:

POUR LES ÎLES MALDIVES:

馬爾代夫羣島:

За Мальдивские острова:

POR LAS ISLAS MALDIVAS:

FOR MALI:

POUR LE MALI:

馬利:

За Мали:

POR MALÍ:

FOR MALTA:

POUR MALTE:

馬耳他:

За Мальту:

POR MALTA:

FOR MAURITANIA:

POUR LA MAURITANIE:

茅利塔尼亞:

За Мавританию:

POR MAURITANIA:

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥:

За Мексику:

POR MÉXICO:

FOR MONACO:

POUR MONACO:

摩納哥:

За Монако:

POR MÓNACO:

FOR MONGOLIA:<sup>1</sup>

POUR LA MONGOLIE:<sup>1</sup>

蒙古:

За Монголию:

FOR MONGOLIA:

JH. BANZAR

1968.VI.5<sup>2</sup>

FOR MOROCCO:

POUR LE MAROC:

摩洛哥:

За Марокко:

FOR MARRUECOS:

FOR NEPAL:

POUR LE NÉPAL:

尼泊爾:

За Непал:

FOR NEPAL:

FOR THE NETHERLANDS:

POUR LES PAYS-BAS:

荷蘭:

За Нидерланды:

FOR LOS PAÍSES BAJOS:

D. G. E. MIDDELBURG

25 June 1969

FOR NEW ZEALAND:

POUR LA NOUVELLE-ZÉLANDE:

紐西蘭:

За Новую Зеландию:

FOR NUEVA ZELANDIA:

FRANK HENRY CORNER

12 November 1968

<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature — Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>2</sup> 5 June 1968 — 5 juin 1968.

FOR NICARAGUA:  
POUR LE NICARAGUA:  
尼加拉瓜:  
За Никарагуа:  
POR NICARAGUA:

FOR THE NIGER:  
POUR LE NIGER:  
奈及爾:  
За Нигер:  
POR EL NÍGER:

FOR NIGERIA:  
POUR LA NIGÉRIA:  
奈及利亞:  
За Нигерию:  
POR NIGERIA:

FOR NORWAY:  
POUR LA NORVÈGE:  
挪威:  
За Норвегию:  
POR NORUEGA:

EDVARD HAMBRO  
March 20, 1968

FOR PAKISTAN:  
POUR LE PAKISTAN:  
巴基斯坦:  
За Пакистан:  
POR EL PAKISTÁN:

FOR PANAMA:  
POUR LE PANAMA:  
巴拿馬:  
За Панаму:  
POR PANAMÁ:

**FOR PARAGUAY:**  
**POUR LE PARAGUAY:**  
**巴拉圭:**  
**За Парагвай:**  
**FOR EL PARAGUAY:**

**FOR PERU:**  
**POUR LE PÉROU:**  
**秘魯:**  
**За Перу:**  
**FOR EL PERÚ:**

**FOR THE PHILIPPINES:**  
**POUR LES PHILIPPINES:**  
**菲律賓:**  
**За Филиппины:**  
**FOR FILIPINAS:**

SALVADOR P. LÓPEZ

**FOR POLAND:**  
**POUR LA POLOGNE:**  
**波蘭:**  
**За Польшу:**  
**FOR POLONIA:**

B. TOMOROWICZ  
2.III.1967<sup>1</sup>

**FOR PORTUGAL:**  
**POUR LE PORTUGAL:**  
**葡萄牙:**  
**За Португалию:**  
**FOR PORTUGAL:**

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<sup>1</sup> 2 March 1967 — 2 mars 1967.

FOR THE REPUBLIC OF KOREA:  
POUR LA RÉPUBLIQUE DE CORÉE:  
大韓民國:  
За Корейскую Республику:  
POR LA REPÚBLICA DE COREA:

FOR THE REPUBLIC OF VIET-NAM:  
POUR LA RÉPUBLIQUE DU VIET-NAM:  
越南共和國:  
За Республику Вьетнам:  
POR LA REPÚBLICA DE VIET-NAM:

FOR ROMANIA: <sup>1</sup>  
POUR LA ROUMANIE: <sup>1</sup>  
羅馬尼亞:  
За Румынию:  
POR RUMANIA:

GHEORGHE DIACONESCU  
27 June 1968

FOR RWANDA:  
POUR LE RWANDA:  
盧安達:  
За Руанду:  
POR RWANDA:

FOR SAN MARINO:  
POUR SAINT-MARIN:  
聖馬利諾:  
За Сан-Марино:  
POR SAN MARINO:

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<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature—Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

**FOR SAUDI ARABIA:**

**POUR L'ARABIE SAOUDITE:**

沙烏地阿拉伯:

**За Саудовскую Аравию:**

**POR ARABIA SAUDITA:**

**FOR SENEGAL:**

**POUR LE SÉNÉGAL:**

塞內加爾:

**За Сенегал:**

**POR EL SENEGAL:**

IBRAHIMA BOYE

Ambassadeur du Sénégal à l'ONU

New York, le 6 juillet 1970

**FOR SIERRA LEONE:**

**POUR LE SIERRA LEONE:**

獅子山:

**За Сьерра-Леоне:**

**POR SIERRA LEONA:**

**FOR SINGAPORE:**

**POUR SINGAPOUR:**

新加坡:

**За Сингапур:**

**POR SINGAPUR:**

**FOR SOMALIA:**

**POUR LA SOMALIE:**

索馬利亞:

**За Сомали:**

**POR SOMALIA:**

**FOR SOUTH AFRICA:**  
**POUR L'AFRIQUE DU SUD:**  
**南非:**  
**За Южную Африку:**  
**FOR SUDÁFRICA:**

**FOR SPAIN:**  
**POUR L'ESPAGNE:**  
**西班牙:**  
**За Испанию:**  
**FOR ESPAÑA:**

**FOR THE SUDAN:**  
**POUR LE SOUDAN:**  
**蘇丹:**  
**За Судан:**  
**FOR EL SUDÁN:**

**FOR SWEDEN:**  
**POUR LA SUÈDE:**  
**瑞典:**  
**За Швецию:**  
**FOR SUECIA:**

TORSTEN NILSSON  
29 September 1967

**FOR SWITZERLAND:**  
**POUR LA SUISSE:**  
**瑞士:**  
**За Швейцарию:**  
**FOR SUIZA:**

FOR SYRIA:  
POUR LA SYRIE:  
叙利亞:  
За Сирію:  
POR SIRIA:

FOR THAILAND:  
POUR LA THAÏLANDE:  
泰國:  
За Таїланд:  
POR TAILANDIA:

FOR TOGO:  
POUR LE TOGO:  
多哥:  
За Того:  
POR EL TOGO:

FOR TRINIDAD AND TOBAGO:  
POUR LA TRINITÉ ET TOBAGO:  
千里達及托貝哥:  
За Тринідад и Тобаго:  
POR TRINIDAD Y TABAGO:

FOR TUNISIA:  
POUR LA TUNISIE:  
突尼西亞:  
За Туніс:  
POR TÚNEZ:

MAHMOUD MESTIRI  
Le 30 avril 1968

FOR TURKEY:  
POUR LA TURQUIE:  
土耳其:  
За Турцію:  
POR TURQUÍA:



FOR UGANDA:

POUR L'UGANDA:

烏干達:

За Уганду:

POR UGANDA:

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:<sup>1</sup>

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:<sup>1</sup>

烏克蘭蘇維埃社會主義共和國:

За Украинскую Советскую Социалистическую Республику:

POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

СЕРГІЙ ТИМОФІЙОВИЧ ШЕВЧЕНКО<sup>2</sup>  
20. III.68<sup>3</sup>

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:<sup>1</sup>

POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:<sup>1</sup>

蘇維埃社會主義共和國聯邦:

За Союз Советских Социалистических Республик:

POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

Яков Александрович Малик<sup>4</sup>  
18.3.68

FOR THE UNITED ARAB REPUBLIC:<sup>1</sup>

POUR LA RÉPUBLIQUE ARABE UNIE:<sup>1</sup>

阿拉伯聯合共和國:

За Объединенную Арабскую Республику:

POR LA REPÚBLICA ARABE UNIDA:

[Illegible — Illisible]  
4th August 1967

<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature— Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>2</sup> Sergei Timofeyevich Shevchenko — Serguei Timofeyevitch Chevtchenko.

<sup>3</sup> 20 March 1968 — 20 mars 1968.

<sup>4</sup> Yakov Aleksandrovich Malik — Yakov Aleksandrovitch Malik.

**FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:<sup>1</sup>**

**POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:<sup>1</sup>**

**大不列顛及北愛爾蘭聯合王國：**

**За Соединенное Королевство Великобритании и Северной Ирландии:**

**POR EL REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE:**

CAREDON

16th September 1968

**FOR THE UNITED REPUBLIC OF TANZANIA:**

**POUR LA RÉPUBLIQUE-UNIE DE TANZANIE:**

**坦尚尼亞聯合共和國：**

**За Объединенную Республику Танзания:**

**POR LA REPÚBLICA UNIDA DE TANZANIA:**

**FOR THE UNITED STATES OF AMERICA:**

**POUR LES ETATS-UNIS D'AMÉRIQUE:**

**美利堅合衆國：**

**За Соединенные Штаты Америки:**

**POR LOS ESTADOS UNIDOS DE AMÉRICA:**

**FOR THE UPPER VOLTA:**

**POUR LA HAUTE-VOLTA:**

**上伏塔：**

**За Верхнюю Вольту:**

**POR EL ALTO VOLTA:**

**FOR URUGUAY:**

**POUR L'URUGUAY:**

**烏拉圭：**

**За Уругвай:**

**POR EL URUGUAY:**

PEDRO P. BERRO

Febrero 21, 1967<sup>2</sup>

<sup>1</sup> See p. 282 of this volume for the texts of the declarations and reservations made upon signature— Voir p. 282 du présent volume pour les textes des déclarations et réserves faites lors de la signature.

<sup>2</sup> 21 February 1967—21 février 1967.

**FOR VENEZUELA:**  
**POUR LE VENEZUELA:**  
**委內瑞拉:**  
**За Венесуэлу:**  
**FOR VENEZUELA:**

GERMÁN NAVA CARRILLO  
24 junio 1969<sup>1</sup>

**FOR WESTERN SAMOA:**  
**POUR LE SAMOA-OccIDENTAL:**  
**西薩摩亞:**  
**За Западное Самоа:**  
**FOR SAMOA OccIDENTAL:**

**FOR YEMEN:**  
**POUR LE YÉMEN:**  
**也門:**  
**За Йемен:**  
**FOR EL YEMEN:**

**FOR YUGOSLAVIA:**  
**POUR LA YOUGOSLAVIE:**  
**南斯拉夫:**  
**За Югославию:**  
**FOR YUGOSLAVIA:**

ANTON VRATUŠA  
Aug. 8, 1967

**FOR ZAMBIA:**  
**POUR LA ZAMBIE:**  
**尚比亞:**  
**За Замбию:**  
**FOR ZAMBIA:**

<sup>1</sup> 24 June 1969 — 24 juin 1969.

DECLARATIONS AND RESERVATIONS  
MADE UPON SIGNATUREDÉCLARATIONS ET RÉSERVES  
FAITES LORS DE LA SIGNATURE*BYELORUSSIAN SOVIET  
SOCIALIST REPUBLIC**RÉPUBLIQUE SOCIALISTE  
SOVIÉTIQUE DE BIÉLORUSSIE*

[BYELORUSSIAN TEXT — TEXTE BIÉLORUSSE]

«Беларуская Савецкая Сацыялістычная Рэспубліка заяўляе, што палажэнні пункта 1 артыкула 26 Пакта аб эканамічных, сацыяльных і культурных правах і пункта 1 артыкула 48 Пакта аб грамадзянскіх і палітычных правах, згодна з якімі рад дзяржаў не можа стаць удзельнікамі гэтых Пактаў, носяць дыскрымінацыйны характар, і лічыць, што Пакты ў адпаведнасці з прынцыпам суверэннай роўнасці дзяржаў павінны быць адкрыты для ўдзелу ўсіх зацікаўленых дзяржаў без якой-небудзь дыскрымінацыі і абмежавання.»

[RUSSIAN TEXT — TEXTE RUSSE]

«Белорусская Советская Социалистическая Республика заявляет, что положения пункта 1 статьи 26 Пакта об экономических, социальных и культурных правах и пункта 1 статьи 48 Пакта о гражданских и политических правах, согласно которым ряд государств не может стать участниками этих Пактов носят дискриминационный характер, и считает, что Пакты в соответствии с принципом суверенного равенства государств должны быть открыты для участия всех заинтересованных государств без какой-либо дискриминации и ограничения.»

[TRANSLATION]

[TRADUCTION]

The Byelorussian Soviet Socialist Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights<sup>1</sup> and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

La République socialiste soviétique de Biélorussie déclare que les dispositions du paragraphe 1 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et celles du paragraphe 1 de l'article 48 de Pacte international relatif aux droits civils et politiques, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et considère que, conformément au principe de l'égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats intéressés sans aucune discrimination ou limitation.

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.

## CZECHOSLOVAKIA

## TCHÉCOSLOVAQUIE

[CZECH TEXT — TEXTE TCHÈQUE]

«Československá socialistická republika prohlašuje, že ustanovení článku 48, odstavec 1 Mezinárodního paktu o občanských a politických právech je v rozporu se zásadou, že všechny státy mají právo stát se smluvními stranami mnohostranných smluv, jež upravují otázky obecného zájmu.»

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

The Czechoslovak Socialist Republic declares that the provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights are in contradiction with the principle that all States have the right to become parties to multilateral treaties governing matters of general interest.

[TRADUCTION — TRANSLATION]

Le Gouvernement de la République socialiste tchécoslovaque déclare que les dispositions de l'article 48, paragraphe 1, du Pacte international relatif aux droits civils et politiques ne sont pas en concordance avec le principe selon lequel tous les Etats ont le droit de devenir parties aux traités multilatéraux régulant les questions d'intérêt général.

## HUNGARY

## HONGRIE

[TRADUCTION — TRANSLATION]

"The Government of the Hungarian People's Republic declares that Paragraph 1 of Article 26 of the International Covenant on Economic, Social and Cultural Rights<sup>3</sup> and Paragraph 1 of Article 48 of the International Covenant on Civil and Political Rights according to which certain states may not become signatories to the said Conventions are of discriminatory nature and are contrary to the basic principle of international law that all states are entitled to become signatories to general multilateral treaties. These discriminatory provisions are incompatible with the objectives and purposes of the Covenants."

Le Gouvernement de la République populaire hongroise déclare que le paragraphe 1 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et le paragraphe 1 de l'article 48 du Pacte international relatif aux droits civils et politiques, aux termes desquels certains Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et sont contraires au principe fondamental du droit international selon lequel tous les Etats ont le droit de devenir parties aux traités multilatéraux généraux. Ces dispositions discriminatoires sont incompatibles avec les buts des Pactes.

<sup>1</sup> Translation supplied by the Government of Czechoslovakia.

<sup>2</sup> Traduction fournie par le Gouvernement tchécoslovaque.

<sup>3</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.

## IRAQ

[ARABIC TEXT — TEXTE ARABE]

” (۱) انصاح الجمهوریة (العراقیة) (والمشاعر الدردی) (واللهی) بافقود (الافسادیة) (والاخری) (والثقافیة) (والشیخیة) الدردی (واللهی) بافقود (المدنیة) (والسیاسیة) (والعربی) (والعقلان) (بأسر) (لایس) (والشکل) (دی) (الفرار) (بجمل) (العلم) (هائیک) (والثقافیة) (نجاه) (اسرائیل) “

” (۲) (هذه) (الانصاح) (الایمنی) (الجمهوریة) (العراقیة) (دی) (البرونوکون) (الغیر) (الفری) (الفری) (واللهی) (واللهی) بافقود (المدنیة) (والسیاسیة) “ .

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

[TRADUCTION — TRANSLATION]

**“The entry of the Republic of Iraq as a party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights<sup>3</sup> shall in no way signify recognition of Israel nor shall it entail any obligations towards Israel under the said two Covenants.”**

**“The entry of the Republic of Iraq as a party to the above two Covenants shall not constitute entry by it as a party to the Optional Protocol to the International Covenant on Civil and Political Rights.”**

Le fait que la République d'Iraq devienne partie au Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et au Pacte international relatif aux droits civils et politiques ne signifie en rien qu'elle reconnaisse Israël ni qu'elle assume des obligations à l'égard d'Israël en vertu desdits Pactes.

Le fait que la République d'Iraq devienne partie aux deux Pactes susmentionnés ne signifie pas qu'elle devient partie au Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques.

**MONGOLIE**

[TRANSDUCTION — TRANSLATION]

**“The Mongolian People’s Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights<sup>3</sup> and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of discriminatory nature and considers that the Covenants, in accordance with the prin-**

La République populaire mongole déclare que les dispositions du paragraphe 1 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et celles du paragraphe 1 de l'article 48 du Pacte international relatif aux droits civils et politiques, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et considère que,

<sup>1</sup> Translation supplied by the Government of Iraq.

<sup>2</sup> Traduction fournie par le Gouvernement iraquien.

<sup>3</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.

ciple of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.”

conformément au principe de l'égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats intéressés sans aucune discrimination ou limitation.

### ROMANIA

### ROUMANIE

#### [TRANSLATION — TRADUCTION]

The Government of the Socialist Republic of Romania declares that the provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights are at variance with the principle that all States have the right to become parties to multilateral treaties governing matters of general interest.

«Le Gouvernement de la République Socialiste de Roumanie déclare que les dispositions de l'article 48, paragraphe 1 du Pacte international relatif aux droits civils et politiques ne sont pas en concordance avec le principe selon lequel tous les Etats ont le droit de devenir parties aux traités multilatéraux réglant les questions d'intérêt général.»

### UKRAINIAN SOVIET SOCIALIST REPUBLIC

### RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE

#### [UKRAINIAN TEXT — TEXTE UKRAINIEN]

«Українська Радянська Соціалістична Республіка заявляє, що положення пункту 1 статті 26 Міжнародного пакту про економічні, соціальні і культурні права та пункту 1 статті 48 Міжнародного пакту про громадянські і політичні права, згідно з якими ряд держав не може стати учасниками цих пактів, мають дискримінаційний характер, і вважає, що пакти відповідно до принципу суверенної рівності держав повинні бути відкриті для участі всіх заінтересованих держав без будь-якої дискримінації та обмеження.»

#### [RUSSIAN TEXT — TEXTE RUSSE]

«Украинская Советская Социалистическая Республика заявляет, что положения пункта 1 статьи 26 Международного пакта об экономических, социальных и культурных правах и пункта 1 статьи 48 Международного пакта о гражданских и политических правах, в соответствии с которыми ряд государств не может стать участниками этих пактов, имеют дискриминационный характер, и считает, что пакты в соответствии с принципом суверенного равенства государств должны быть открыты для участия всех заинтересованных государств без какой-либо дискриминации и ограничения.»

#### [TRANSLATION]

#### [TRADUCTION]

The Ukrainian Soviet Socialist Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cul-

La République socialiste soviétique d'Ukraine déclare que les dispositions du paragraphe 1 de l'article 26 du Pacte international relatif aux droits économi-

tural Rights<sup>1</sup> and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

ques, sociaux et culturels<sup>1</sup> et celles du paragraphe 1 de l'article 48 du Pacte international relatif aux droits civils et politiques, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et considère que, conformément au principe de l'égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats intéressés sans aucune discrimination ou limitation.

*UNION OF SOVIET SOCIALIST  
REPUBLICS*

*UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTIQUES*

[RUSSIAN TEXT — TEXTE RUSSE]

«Союз Советских Социалистических Республик заявляет, что положения пункта 1 статьи 26 Международного пакта об экономических, социальных и культурных правах и пункта 1 статьи 48 Международного пакта о гражданских и политических правах, согласно которым ряд государств не может стать участниками этих Пактов, носят дискриминационный характер, и считает, что Пакты в соответствии с принципом суверенного равенства государств должны быть открыты для участия всех заинтересованных государств без какой-либо дискриминации и ограничения.»

[TRANSLATION]

[TRADUCTION]

The Union of Soviet Socialist Republics declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights<sup>1</sup> and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

L'Union des Républiques socialistes soviétiques déclare que les dispositions du paragraphe 1 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et celles du paragraphe 1 de l'article 48 du Pacte international relatif aux droits civils et politiques, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et considère que, conformément au principe de l'égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats intéressés sans aucune discrimination ou limitation.

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.



*UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRE-  
LAND*

*ROYAUME-UNI DE GRANDE-  
BRETAGNE ET D'IRLANDE  
DU NORD*

[TRANSDUCTION — TRANSLATION]

"First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.

"Secondly, the Government of the United Kingdom declare that:

"(a) In relation to Article 14 of the Covenant, they must reserve the right not to apply, or not to apply in full, the guarantee of free legal assistance contained in sub-paragraph (d) of paragraph 3 in so far as the shortage of legal practitioners and other considerations render the application of this guarantee in British Honduras, Fiji and St. Helena impossible;

"(b) In relation to Article 23 of the Covenant, they must reserve the right not to apply the first sentence of paragraph 4 in so far as it concerns any inequality which may arise from the operation of the law of domicile;

"(c) In relation to Article 25 of the Covenant, they must reserve the right not to apply:

"(i) Sub-paragraph (b) in so far as it may require the establishment of an elected legislature in Hong Kong and the introduction of equal suffrage, as between different electoral rolls, for elections in Fiji; and

Premièrement, le Gouvernement du Royaume-Uni déclare qu'il considère qu'en vertu de l'Article 103 de la Charte des Nations Unies, en cas de conflit entre ses obligations aux termes de l'article premier du Pacte et ses obligations aux termes de la Charte (aux termes notamment de l'Article premier et des Articles 2 et 73 de ladite Charte), ses obligations aux termes de la Charte prévaudront.

Deuxièmement, le Gouvernement du Royaume-Uni déclare que :

a) En ce qui concerne l'article 14 du Pacte, il doit se réserver le droit de ne pas appliquer ou de ne pas appliquer intégralement la garantie d'assistance judiciaire gratuite énoncée à l'alinéa d du paragraphe 3, dans la mesure où le manque d'hommes de loi et d'autres considérations rendent l'application de cette garantie impossible au Honduras britannique, aux Fidji et à Sainte-Hélène;

b) En ce qui concerne l'article 23 du Pacte, le Gouvernement du Royaume-Uni doit se réserver le droit de ne pas appliquer la disposition énoncée dans la première phrase du paragraphe 4, dans la mesure où ladite phrase vise une inégalité quelconque pouvant résulter de l'application de la loi sur le domicile;

c) En ce qui concerne l'article 25 du Pacte, le Gouvernement du Royaume-Uni doit se réserver le droit de ne pas appliquer :

i) L'alinéa b, dans la mesure où cette disposition peut impliquer l'institution à Hong-kong d'un organe législatif élu et l'introduction du suffrage égal, pour les différents collèges électoraux, pour les élections aux Fidji; et

“(ii) Sub-paragraph (c) in so far as it applies to jury service in the Isle of Man and to the employment of married women in the Civil Service of Northern Ireland, Fiji, and Hong Kong.

ii) L’alinéa c, dans la mesure où il concerne l’exercice des fonctions de juré dans l’île de Man et l’emploi de femmes mariées dans la fonction publique en Irlande du Nord, aux Fidji et à Hong-kong.

“Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented.”

Enfin, le Gouvernement du Royaume-Uni déclare que les dispositions du Pacte ne s’appliqueront pas à la Rhodésie du Sud tant qu’il n’aura pas fait savoir au Secrétaire général de l’Organisation des Nations Unies qu’il était à même de garantir que les obligations que lui impose le Pacte quant à ce territoire peuvent être intégralement remplies.

#### DECLARATIONS AND RESERVATIONS MADE UPON RATIFICATION OR ACCESSION(a)

#### DÉCLARATIONS ET RÉSERVES FAITES LORS DE LA RATIFICATION OU DE L’ADHÉSION(a)

##### *BARBADOS(a)*

##### *BARBADE(a)*

[TRADUCTION — TRANSLATION]

“The Government of Barbados states that it reserves the right not to apply in full, the guarantee of free legal assistance in accordance with paragraph 3(d) of Article 14 of the Covenant, since, while accepting the principles contained in the same paragraph, the problems of implementation are such that full application cannot be guaranteed at present.”

Le Gouvernement de la Barbade déclare qu’il se réserve le droit de ne pas appliquer intégralement la garantie concernant l’assistance judiciaire gratuite visée à l’alinéa d du paragraphe 3 de l’article 14 du Pacte; en effet, bien qu’il souscrive aux principes énoncés dans ledit paragraphe, il ne peut, étant donné l’ampleur des difficultés d’application, garantir actuellement la mise en œuvre intégrale de cette disposition.

##### *BULGARIA*

##### *BULGARIE*

[BULGARIAN TEXT — TEXTE BULGARE]

«Народна република България смята за необходимо да подчертае, че член 48 точки 1 и 3 от Международния пакт за граждански и политически права и член 26 точки 1 и 3 от Международния пакт за икономически, социални и културни права, като изключват известен брой държави от възможността да участвуват в пактовете, имат дискриминационен характер. Тези разпоредби са несъвместими със самото естество на пактовете, които имат универсален характер и трябва да бъдат открити за присъединяване на всички държави. По силата на принципа на суверенното равенство никоя държава няма право да възпрепятствува други държави да участвуват в такива пактове.»

## [TRANSDUCTION — TRANSLATION]

"The People's Republic of Bulgaria deems it necessary to underline that the provisions of Article 48, paragraphs 1 and 3, of the International Covenant on Civil and Political Rights, and Article 26, paragraphs 1 and 3, of the International Covenant on Economic, Social and Cultural Rights,<sup>1</sup> under which a number of States are deprived of the opportunity to become parties to the Covenants, are of a discriminatory nature. These provisions are inconsistent with the very nature of the Covenants, which are universal in character and should be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from becoming parties to a covenant of this kind."

La République populaire de Bulgarie estime nécessaire de souligner que les dispositions des paragraphes 1 et 3 de l'article 48 du Pacte international relatif aux droits civils et politiques et des paragraphes 1 et 3 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup>, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire. Ces dispositions ne sont pas en concordance avec la nature même de ces Pactes, dont le caractère est universel et qui devraient être ouverts à la participation de tous les Etats. Conformément au principe de l'égalité souveraine des Etats, aucun Etat n'a le droit d'interdire à d'autres Etats de devenir parties à un Pacte de ce type.

BYELORUSSIAN SOVIET  
SOCIALIST REPUBLIC

RÉPUBLIQUE SOCIALISTE  
SOVIÉTIQUE DE BIÉLORUSSIE

[Confirming the declaration made upon signature. For the text, see p. 282 of this volume.]

[Avec confirmation de la déclaration faite lors de la signature. Pour le texte, voir p. 282 du présent volume.]

CZECHOSLOVAKIA

TCHÉCOSLOVAQUIE

[CZECH TEXT — TEXTE TCHÈQUE]

«Prozkoumavše tento Pakt a vědouce, že Federální shromáždění Československé socialistické republiky s ním souhlasí, schvalujeme a přijímáme jej. Přijímajíce tento Pakt prohlašujeme, že ustanovení článku 48 odstavce 1 je v rozporu se zásadou, že všechny státy mají právo stát se stranou mnohostranných smluv upravujících záležitosti obecného zájmu.»

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

“Having examined this Covenant and knowing that the Federal Assembly of the Czechoslovak Socialist Republic has given its consent thereto, we hereby approve and confirm it. Confirming this Covenant, we declare that the provision of Article 48, paragraph 1, is in contradiction with the principle that all States have the right to become parties to multilateral treaties regulating matters of general interest.”

*DENMARK*

“1. The Government of Denmark makes a reservation in respect of Article 10, paragraph 3, second sentence. In Danish practice, considerable efforts are made to ensure appropriate age distribution of convicts serving sentences of imprisonment, but it is considered valuable to maintain possibilities of flexible arrangements.

“2. (a). Article 14, paragraph 1, shall not be binding on Denmark in respect of public hearings.

“In Danish law, the right to exclude the press and the public from trials may go beyond what is permissible under this Covenant, and the Government of Denmark finds that this right should not be restricted.

“(b). Article 14, paragraphs 5 and 7, shall not be binding on Denmark.

## [TRADUCTION — TRANSLATION]

Ayant examiné le présent Pacte et sachant que l'Assemblée fédérale de la République socialiste tchécoslovaque y a donné son assentiment, nous l'approuvons et le confirmons. En le confirmant, nous déclarons que les dispositions du paragraphe 1 de l'article 48 du Pacte sont en contradiction avec le principe selon lequel tous les Etats ont le droit de devenir parties aux traités multilatéraux régissant les questions d'intérêt général.

*DANEMARK*

## [TRADUCTION — TRANSLATION]

1. Le Gouvernement danois fait une réserve en ce qui concerne la seconde phrase du paragraphe 3 de l'article 10. Au Danemark, on ne néglige aucun effort, dans la pratique, pour assurer une répartition appropriée, suivant leur âge, des personnes condamnées à des peines d'emprisonnement, mais on estime qu'il convient de se réserver la possibilité d'adopter des solutions souples.

2. a) Le Danemark ne sera pas tenu par les dispositions du paragraphe 1 de l'article 14 concernant la publicité des procédures judiciaires.

En droit danois, la faculté de prononcer le huis clos pendant un procès peut être plus large que celle qui est prévue dans le Pacte, et le Gouvernement danois estime que cette faculté ne doit pas être restreinte.

b) Le Danemark ne sera pas tenu par les dispositions des paragraphes 5 et 7 de l'article 14.

<sup>1</sup> Translation supplied by the Government of Czechoslovakia.

<sup>2</sup> Traduction fournie par le Gouvernement tchécoslovaque.

"The Danish Administration of Justice Act contains detailed provisions regulating the matters dealt with in these two paragraphs. In some cases, Danish legislation is less restrictive than the Covenant (e.g. a verdict returned by a jury on the question of guilt cannot be reviewed by a higher tribunal, cf. paragraph 5); in other cases, Danish legislation is more restrictive than the Covenant (e.g. with respect to resumption of a criminal case in which the accused party was acquitted, cf. paragraph 7).

"3. Reservation is further made to Article 20, paragraph 1. This reservation is in accordance with the vote cast by Denmark in the XVI General Assembly of the United Nations in 1961 when the Danish Delegation, referring to the preceding article concerning freedom of expression, voted against the prohibition against propaganda for war."

### FINLAND

"1. With respect to Article 9 paragraph 3 of the Covenant Finland declares that according to the present Finnish legislation the administrative authorities may take decisions concerning arrest or imprisonment, in which event the case is taken up for decision in court only after a certain time lapse;

"2. With respect to Article 10 paragraphs 2 *b*) and 3 of the Covenant, Finland declares that although juvenile offenders are, as a rule, segregated from adults, it does not deem [it] appropriate to adopt an absolute prohibition not allowing for more flexible arrangements;

Au Danemark, la loi relative à l'administration de la justice contient des dispositions détaillées concernant les questions traitées dans ces deux paragraphes. Dans certains cas, la législation danoise est moins restrictive que le Pacte (par exemple, un verdict rendu par un jury en ce qui concerne la culpabilité ne peut pas être réexaminé par une juridiction supérieure; voir le paragraphe 5), tandis que dans d'autres cas elle est plus restrictive que le Pacte (par exemple, en ce qui concerne la réouverture d'un procès criminel ayant abouti à l'acquiescement de l'accusé; voir le paragraphe 7).

3. Le Gouvernement danois fait également une réserve en ce qui concerne le paragraphe 1 de l'article 20. Cette réserve est conforme au vote exprimé par le Danemark à la seizième session de l'Assemblée générale des Nations Unies, en 1961, lorsque la délégation danoise, compte tenu de l'article précédent du Pacte concernant la liberté d'expression, a voté contre l'interdiction de la propagande en faveur de la guerre.

### FINLANDE

#### [TRADUCTION — TRANSLATION]

1. En ce qui concerne le paragraphe 3 de l'article 9 du Pacte, la Finlande déclare que, conformément à la législation finlandaise actuelle, les autorités administratives peuvent prendre des décisions concernant l'arrestation ou l'emprisonnement, auquel cas un tribunal n'est saisi de l'affaire et ne se prononce qu'après un certain délai;

2. Pour ce qui est des paragraphes 2 *b*, et 3 de l'article 10 du Pacte, la Finlande déclare que bien qu'en règle générale les jeunes délinquants soient séparés des adultes elle n'estime pas souhaitable d'instituer une interdiction absolue qui ne permettrait pas d'arrangements plus souples;

"3. With respect to Article 13 of the Covenant, Finland declares that the Article does not correspond to the present Finnish legislation regarding an alien's right to be heard or lodge a complaint in respect of a decision concerning his expulsion;

"4. With respect to Article 14 paragraph 1 of the Covenant, Finland declares that under Finnish law a sentence can be declared secret if its publication could be an affront to morals or endanger national security;

"5. With respect to Article 14 paragraph 3d) of the Covenant, Finland declares that the contents of this paragraph do not correspond to the present legislation in Finland inasmuch as it is a question of the defendant's absolute right to have legal assistance already at the stage of preliminary investigations;

"6. With respect to Article 14 paragraph 7 of the Covenant, Finland declares that it is going to pursue its present practice, according to which a sentence can be changed to the detriment of the convicted person, if it is established that a member or an official of the court, the prosecutor or the legal counsel have through criminal or fraudulent activities obtained the acquittal of the defendant or a substantially more lenient penalty, or if false evidence has been presented with the same effect, and according to which an aggravated criminal case may be taken up for reconsideration if within a year until then unknown evidence is presented, which would have led to conviction or a substantially more severe penalty;

"7. With respect to Article 20 paragraph 1 of the Covenant, Finland declares that it will not apply the provisions of this paragraph, this being compatible with the standpoint Finland already expressed at the 16th United Nations

3. Quant à l'article 13 du Pacte, la Finlande déclare que cet article ne correspond pas à la législation finlandaise actuelle concernant le droit d'un étranger de se faire entendre ou de porter plainte à propos d'une décision d'expulsion;

4. En ce qui concerne le paragraphe 1 de l'article 14 du Pacte, la Finlande déclare qu'en vertu du droit finlandais un jugement peut être prononcé à huis clos si sa publication doit offenser la morale ou mettre en danger la sécurité nationale;

5. Pour ce qui est du paragraphe 3,d, de l'article 14 du Pacte, la Finlande déclare que sa teneur ne correspond pas à la législation actuelle en Finlande dans la mesure où le défendeur a le droit absolu d'avoir un défenseur dès le stade de l'enquête préliminaire;

6. Au sujet du paragraphe 7 de l'article 14 du Pacte, la Finlande déclare qu'elle poursuivra sa pratique actuelle, selon laquelle une peine peut être aggravée s'il est établi qu'un membre ou un fonctionnaire du tribunal, le procureur ou l'avocat de la défense ont obtenu l'acquiescement du défendeur ou une peine beaucoup plus légère par des moyens délictueux ou frauduleux, ou si de faux témoignages ont été présentés avec le même résultat, et selon laquelle un délit qualifié peut être jugé à nouveau si, dans un délai d'un an, de nouvelles preuves sont présentées qui, si elles avaient été connues, auraient entraîné une condamnation ou une peine beaucoup plus sévère;

7. En ce qui concerne le paragraphe 1 de l'article 20 du Pacte, la Finlande déclare qu'elle n'appliquera pas ses dispositions, celles-ci étant incompatibles avec le point de vue que la Finlande a déjà exprimé à la seizième Assemblée

General Assembly by voting against the prohibition of propaganda for war, on the grounds that this might endanger the freedom of expression referred in Article 19 of the Covenant.”

générale de l'Organisation des Nations Unies en votant contre l'interdiction de la propagande en faveur de la guerre, faisant valoir que cela risque de compromettre la liberté d'expression mentionnée à l'article 19 du Pacte.

*FEDERAL REPUBLIC OF  
GERMANY*

*RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE*

[GERMAN TEXT — TEXTE ALLEMAND]

„1. Artikel 19, 21 und 22 in Verbindung mit Artikel 2 Abs. 1 des Paktes werden in dem Artikel 16 der Konvention zum Schutze der Menschenrechte und Grundfreiheiten vom 4. November 1950 entsprechenden Rahmen angewandt.

„2. Artikel 14 Abs. 3 Buchstabe *d* des Paktes wird derart angewandt, dass die persönliche Anwesenheit eines nicht auf freiem Fuss befindlichen Angeklagten zur Revisionshauptverhandlung in das Ermessen des Gerichts gestellt wird.

„3. Artikel 14 Abs. 5 des Paktes wird derart angewandt, dass

- a) ein weiteres Rechtsmittel nicht in allen Fällen allein deshalb eröffnet werden muss, weil der Beschuldigte in der Rechtsmittelinstanz erstmals verurteilt worden ist, und
- b) bei Straftaten von geringer Schwere die Überprüfung eines nicht auf Freiheitsstrafe lautenden Urteils durch ein Gericht höherer Instanz nicht in allen Fällen ermöglicht werden muss.

„4. Artikel 15 Abs. 1 des Paktes wird derart angewandt, dass im Falle einer Milderung der zur Zeit in Kraft befindlichen Strafvorschriften in bestimmten Ausnahmefällen das bisher geltende Recht auf Taten, die vor der Gesetzesänderung begangen wurden, anwendbar bleiben kann.“

[TRADUCTION — TRANSLATION]

“1. Articles 19, 21 and 22 in conjunction with Article 2(1) of the Covenant shall be applied within the scope of Article 16 of the Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms.<sup>1</sup>

“2. Article 14(3) (*d*) of the Covenant shall be applied in such manner that it is for the court to decide whether an accused person held in custody has to appear in person at the hearing before the court of review (*Revisionsgericht*).

“3. Article 14(5) of the Covenant shall be applied in such manner that

1. Les articles 19, 21, et 22, en conjunction avec l'article 2, paragraphe 1, du Pacte seront appliqués dans le contexte de l'article 16 de la Convention de sauvegarde des droits de l'homme et des libertés fondamentales du 4 novembre 1950<sup>1</sup>.

2. L'alinéa *d* du paragraphe 3 de l'article 14 du Pacte sera appliqué comme suit : il incombe à la juridiction de révision de décider si l'accusé qui n'est pas en liberté doit assister personnellement à ses débats.

3. Le paragraphe 5 de l'article 14 du Pacte sera appliqué de la manière suivante :

<sup>1</sup> United Nations, *Treaty Series*, vol. 213, p. 221.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 213, p. 221.

- (a) a further appeal does not have to be instituted in all cases solely on the grounds the accused person — having been acquitted by the lower court — was convicted for the first time in the proceedings concerned by the appellate court.
- (b) in the case of criminal offences of minor gravity the review by a higher tribunal of a decision not imposing imprisonment does not have to be admitted in all cases.
- a) La possibilité d'un recours devant une juridiction supérieure ne doit pas être ouverte dans tous les cas par le simple fait que l'inculpé a été condamné pour la première fois par la juridiction d'appel.
- b) Lors d'infractions mineures, le pourvoi devant une juridiction supérieure n'est pas nécessairement admis dans tous les cas de condamnation à une peine non privative de liberté.

"4. Article 15(1) of the Covenant shall be applied in such manner that when provision is made by law for the imposition of a lighter penalty the hitherto applicable law may for certain exceptional categories of cases remain applicable to criminal offences committed before the law was amended."

4. Le paragraphe 1 de l'article 15 du Pacte sera appliqué comme suit : dans le cas d'un adoucissement des dispositions pénales en vigueur, dans certains cas exceptionnels précis, le droit en vigueur antérieurement reste applicable à des actes commis avant la modification de la loi.

*GERMAN DEMOCRATIC  
REPUBLIC*

*RÉPUBLIQUE DÉMOCRATIQUE  
ALLEMANDE*

[GERMAN TEXT — TEXTE ALLEMAND]

„Die Deutsche Demokratische Republik ist der Auffassung, daß Artikel 48 Absatz 1 der Konvention im Widerspruch zu dem Prinzip steht, wonach alle Staaten, die sich in ihrer Politik von den Zielen und Grundsätzen der Charta der Vereinten Nationen leiten lassen, das Recht haben, Mitglied von Konventionen zu werden, die die Interessen aller Staaten berühren.“

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

[TRADUCTION — TRANSLATION]

"The German Democratic Republic holds the view that Article 48, paragraph 1 of the Covenant is in contradiction to the principle according to which all States, which are guided in their policy by the aims and principles of the United Nations Charter, have the right to become members of covenants which affect the interests of all States."

La République démocratique allemande estime que le paragraphe 1 de l'article 48 du Pacte est en contradiction avec le principe selon lequel tous les Etats dont la politique est guidée par les buts et principes de la Charte des Nations Unies ont le droit de devenir partie à des conventions qui touchent les intérêts de tous les Etats.

[TRADUCTION — TRANSLATION]

"The GDR has ratified the two covenants in accordance with the policy it has so far pursued with the view to

La République démocratique allemande a ratifié les deux Pactes conformément à la politique qu'elle a menée

<sup>1</sup> Translation supplied by the Government of the Federal Republic of Germany.

<sup>2</sup> Traduction fournie par le Gouvernement de la République fédérale d'Allemagne.



safeguarding human rights. It is convinced that these covenants promote the world-wide struggle for the enforcement of human rights, which is an integral part of the struggle for the maintenance and strengthening of peace. On the occasion of the 25th anniversary of the Universal Declaration of Human Rights it thus contributes to the peaceful international cooperation of states, to the promotion of human rights and to the joint struggle against their violation by aggressive policies, colonialism and apartheid, racism and other forms of assaults on the right of the peoples to self-determination.

“The Constitution of the GDR guarantees the political, economic, social and cultural rights to every citizen independent of race, sex and religion. Socialist democracy has created the conditions for every citizen not only to enjoy these rights but also take an active part in their implementation and enforcement.

“Such fundamental human rights as the right to peace, the right to work and social security, the equality of women, and the right to education have been fully implemented in the GDR. The government of the GDR has always paid great attention to the material prerequisites for guaranteeing above all the social and economic rights. The welfare of the working people and its continuous improvement are the leitmotiv of the entire policy of the government of the GDR.

“The government of the GDR holds that the signing and ratification of the two human rights covenants by further member states of the United Nations would be an important step to imple-

menter jusqu'ici en vue de sauvegarder les droits de l'homme. Elle est convaincue que ces Pactes favorisent la lutte menée à l'échelle mondiale pour assurer la réalisation des droits de l'homme, lutte qui s'inscrit elle-même dans le cadre de celle engagée en vue du maintien et du renforcement de la paix. A l'occasion du vingt-cinquième anniversaire de la Déclaration universelle des droits de l'homme, la République démocratique allemande participe ainsi à la coopération pacifique entre les Etats, à la promotion des droits de l'homme et à la lutte commune contre la violation de ces droits par des politiques agressives, le colonialisme et l'*apartheid*, le racisme et tous autres types d'atteintes au droit des peuples à disposer d'eux-mêmes.

La Constitution de la République démocratique allemande garantit les droits politiques, économiques, sociaux et culturels de tout citoyen sans distinction de race, de sexe et de religion. La démocratie socialiste a créé les conditions voulues pour que tout citoyen non seulement jouisse de ses droits mais s'attache activement à les exercer et à les faire respecter.

Les droits fondamentaux de l'homme, tels que le droit à la paix, le droit au travail et à la sécurité sociale, l'égalité des femmes et le droit à l'éducation, sont pleinement exercés en République démocratique allemande. Le Gouvernement de la République démocratique allemande a toujours accordé beaucoup d'attention aux conditions matérielles qu'il faut créer au préalable pour garantir essentiellement les droits sociaux et économiques. La nécessité d'assurer et d'améliorer continuellement le bien-être des travailleurs a toujours été l'élément de base de l'ensemble de la politique du Gouvernement de la République démocratique allemande.

Le Gouvernement de la République démocratique allemande estime que la signature et la ratification des deux Pactes relatifs aux droits de l'homme par d'autres Etats Membres de l'Organisa-

ment the aims for respecting and promoting the human rights, the aims proclaimed in the United Nations Charter.”

### HUNGARY

“The Presidential Council of the Hungarian People’s Republic declares that the provisions of article 48, paragraphs 1 and 3, of the International Covenant on Civil and Political Rights, and article 26, paragraphs 1 and 3, of the International Covenant on Economic, Social and Cultural Rights<sup>1</sup> are inconsistent with the universal character of the Covenants. It follows from the principle of sovereign equality of States that the Covenants should be open for participation by all States without any discrimination or limitation.”

### IRAQ

[ARABIC TEXT — TEXTE ARABE]

” ان ابراهيم العلاف للعهد الدولي لحقوق الانسان والاقصاوية والاجتماعية والشفاف  
والعهد الدولي لحقوق الانسان والسياسية، لا يعني بأي حال من الأحوال الاعتراف  
بإسرائيل والدخول معها في المعاملات التي تتضمن هذه الاتفاقيات“

[TRANSLATION<sup>2</sup>]

Ratification by Iraq . . . shall in no way signify recognition of Israel nor shall it be conducive to entry with her into such dealings as are regulated by the said [Covenant].

### LIBYAN ARAB JAMAHIRIYA(a)

“The acceptance and the accession to this Covenant by the Libyan Arab Re-

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. I-14531.

<sup>2</sup> Translation supplied by the Government of Iraq.

tion des Nations Unies représenteraient un pas important vers la réalisation des objectifs que sont le respect et la promotion des droits de l’homme et qui sont énoncés dans la Charte des Nations Unies.

### HONGRIE

[TRANSDUCTION — TRANSLATION]

Le Conseil présidentiel de la République populaire de Hongrie déclare que les dispositions des paragraphes 1 et 3 de l’article 48 du Pacte international relatif aux droits civils et politiques et celles des paragraphes 1 et 3 de l’article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> sont incompatibles avec le caractère universel des Pactes. Selon le principe d’égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats sans aucune discrimination ni limitation.

### IRAQ

[TRANSDUCTION<sup>2</sup>]

La ratification pour l’Irak . . . ne signifie nullement que l’Irak reconnaît Israël ni qu’il établira avec Israël les relations [que régit ledit Pacte].

### JAMAHIRIYA ARABE LIBYENNE(a)

[TRANSDUCTION — TRANSLATION]

L’approbation et l’adhésion de la République arabe libyenne touchant le

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no I-14531.

<sup>2</sup> Traduction fournie par le Gouvernement irakien.

public shall in no way signify a recognition of Israel or be conducive to entry by the Libyan Arab Republic into such dealings with Israel as are regulated by the Covenant.”

Pacte dont il s'agit ne signifient nullement que la République arabe libyenne reconnaît Israël ni qu'elle établira avec Israël les relations que régit ledit Pacte.

## MONGOLIA

## MONGOLIE

### [MONGOLIAN TEXT — TEXTE MONGOL]

«Эдийн засаг, Нийгэм, Соёлын эрхийн тухай олон улсын Пакт”-ын 26 дугаар зүйл (1) Иргэний ба Улс төрийн эрхийн тухай олон улсын Пакт”-ын 48 дугаар зүйл (1) нь уг Пактуудад оролцогч улсуудын хүрээг тодорхой заалтаар хязгаарласнаар зарим улсыг ялгаварлан гадуурхаж байна гэж БНМАУ-ын Засгийн газар үзэхийн хамт улс бүр тэгш эрхтэй байх зарчмын үндсэн дээр сонирхож байгаа бүх улс эдгээр Пактад ямар нэгэн ялгаваргүй - гээр оролцох эрх эдлэх ёстой гэж мэдэгдэж байна.»

### [TRADUCTION — TRANSLATION]

“The Mongolian People’s Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights<sup>1</sup> and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.”

La République populaire mongole déclare que les dispositions du paragraphe 1 de l'article 26 du Pacte international relatif aux droits économiques, sociaux et culturels<sup>1</sup> et celles du paragraphe 1 de l'article 48 du Pacte international relatif aux droits civils et politiques, aux termes desquelles un certain nombre d'Etats ne peuvent pas devenir parties auxdits Pactes, ont un caractère discriminatoire et considère que, conformément au principe de l'égalité souveraine des Etats, les Pactes devraient être ouverts à la participation de tous les Etats intéressés sans aucune discrimination ou limitation.

## NORWAY

## NORVÈGE

### [TRADUCTION — TRANSLATION]

“Norway enters reservations with respect to:

- Article 6, paragraph 4,
- Article 10, paragraph 2(b) and paragraphe 3, with regard to the

La Norvège fait des réserves à l'égard de :

- L'article 6, paragraphe 4,
- L'article 10, paragraphe 2, b, et paragraphe 3, en ce qui concerne

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. 1-14531.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 993, no 1-14531.

obligation to keep accused juvenile persons and juvenile offenders segregated from adults,

- Article 14, paragraphs 5 and 7, and
- Article 20, paragraph 1.”

### ROMANIA

#### [TRANSLATION — TRADUCTION]

(a) The State Council of the Socialist Republic of Romania considers that the provisions of article 48 (1) of the International Covenant on Civil and Political Rights are inconsistent with the principle that multilateral international treaties whose purposes concern the international community as a whole must be open to universal participation.

(b) The State Council of the Socialist Republic of Romania considers that the maintenance in a state of dependence of certain territories referred to in article 1 (3) of the International Covenant on Civil and Political Rights is inconsistent with the Charter of the United Nations and the instruments adopted by the Organization on the granting of independence to colonial countries and peoples, including the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted unanimously by the United Nations General Assembly in its resolution 2625 (XXV) of 1970,<sup>1</sup> which solemnly proclaims the duty of States to promote the realization of the principle of equal rights and self-determination of peoples in order to bring a speedy end to colonialism.

l'obligation de séparer les jeunes prévenus et les jeunes délinquants des adultes,

- L'article 14, paragraphes 5 et 7, et
- L'article 20, paragraphe 1.

### ROUMANIE

«a) Le Conseil d'Etat de la République socialiste de Roumanie considère que les provisions de l'article 48, point 1<sup>er</sup>, du Pacte international relatif aux droits civils et politiques, ne sont pas en concordance avec le principe selon lequel les traités internationaux multilatéraux dont l'objet et le but intéressent la communauté internationale dans son ensemble doivent être ouverts à la participation universelle.

«b) Le Conseil d'Etat de la République socialiste de Roumanie considère que le maintien de l'état de dépendance de certains territoires auxquels se réfère l'article premier, point 3, du Pacte international relatif aux droits civils et politiques n'est pas en concordance avec la Charte des Nations Unies et les documents adoptés par cette organisation sur l'octroi de l'indépendance aux pays et aux peuples coloniaux, y compris la Déclaration relative aux principes du droit international touchant les relations amicales et la coopération entre les Etats conformément à la Charte des Nations Unies, adoptée à l'unanimité par la résolution de l'Assemblée générale de l'Organisation des Nations Unies no 2625 (XXV) de 1970<sup>1</sup>, qui proclame solennellement le devoir des Etats de favoriser la réalisation du principe de l'égalité de droits des peuples et de leur droit à disposer d'eux-mêmes, dans le but de mettre rapidement fin au colonialisme.»

<sup>1</sup> United Nations, *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 28* (A/8028), p. 121.

<sup>1</sup> Nations Unies, *Documents officiels de l'Assemblée générale, vingt-cinquième session, Supplément no 28* (A/8028), p. 131.

## SWEDEN

## SUÈDE

[SWEDISH TEXT — TEXTE SUÉDOIS]

“Sverige förbehåller sig rätten att icke tillämpa bestämmelserna i artikel 10 mom. 3 såvitt avser kravet på att ungdomsbrottslingar skola hållas åtskilda från vuxna, artikel 14 mom. 7 och artikel 20 mom. 1 i konventionen.”

[TRANSLATION — TRADUCTION]

[TRADUCTION<sup>1</sup> — TRANSLATION<sup>2</sup>]

... Sweden reserves the right not to apply the provisions of article 10, paragraph 3, with regard to the obligation to segregate juvenile offenders from adults, the provisions of article 14, paragraph 7, and the provisions of article 20, paragraph 1, of the Covenant.

«... la Suède se réserve le droit de ne pas appliquer les dispositions du paragraphe 3 de l'article 10 en ce qui concerne l'obligation de séparer les jeunes délinquants des adultes, du paragraphe 7 de l'article 14 et du paragraphe 1 de l'article 20 du Pacte.»

## SYRIAN ARAB REPUBLIC (a)

RÉPUBLIQUE ARABE  
SYRIENNE (a)

[TRANSLATION — TRADUCTION]

1. The accession of the Syrian Arab Republic to these two Covenants shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said two Covenants.

«1. Il est entendu que l'adhésion de la République Arabe Syrienne à ces deux Pactes ne signifie en aucune façon la reconnaissance d'Israël ou l'entrée avec lui en relation au sujet d'aucune matière que ces deux Pactes réglementent.

2. The Syrian Arab Republic considers that paragraph 1 of article 26 of the Covenant on Economic, Social and Cultural Rights<sup>1</sup> and paragraph 1 of article 48 of the Covenant on Civil and Political Rights are incompatible with the purposes and objectives of the said Covenants, inasmuch as they do not allow all States, without distinction or discrimination, the opportunity to become parties to the said Covenants.

«2. La République Arabe Syrienne considère que le paragraphe 1 de l'article 26 du Pacte relatif aux droits économiques, sociaux et culturels<sup>3</sup> ainsi que le paragraphe 1 de l'article 48 du Pacte relatif aux droits civils et politiques ne sont pas conformes aux buts et objectifs desdits Pactes puisqu'ils ne permettent pas à tous les Etats, sans distinction et discrimination, la possibilité de devenir parties à ces Pactes.»

<sup>1</sup> United Nations, *Treaty Series*, vol. 993, No. 1-14531.

<sup>1</sup> Traduction fournie par le Gouvernement suédois.

<sup>2</sup> Translation supplied by the Government of Sweden.

<sup>3</sup> Nations Unies, *Recueil des Traités*, vol. 993, no 1-14531.

*UKRAINIAN SOVIET SOCIALIST  
REPUBLIC*

*[Confirming the declaration made upon signature. For the text, see p. 282 of this volume.]*

*UNION OF SOVIET SOCIALIST  
REPUBLICS*

*[Confirming the declaration made upon signature. For the text, see p. 282 of this volume.]*

**DECLARATIONS RECOGNIZING  
THE COMPETENCE OF THE  
HUMAN RIGHTS COMMITTEE  
UNDER ARTICLE 41**

*FINLAND*

“Finland declares, under Article 41 of the International Covenant on Civil and Political Rights that it recognizes the competence of the Human Rights Committee referred to in Article 28 of the said Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligation under this Covenant.”

*NORWAY*

“... pursuant to article 41 of the Covenant, ... Norway recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.”

*RÉPUBLIQUE SOCIALISTE  
SOVIÉTIQUE D'UKRAINE*

*[Avec confirmation de la déclaration faite lors de la signature. Pour le texte, voir p. 282 du présent volume.]*

*UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTIQUES*

*[Avec confirmation de la déclaration faite lors de la signature. Pour le texte, voir p. 282 du présent volume.]*

**DÉCLARATIONS RECONNAISSANT  
LA COMPÉTENCE DU COMITÉ  
DES DROITS DE L'HOMME EN  
VERTU DE L'ARTICLE 41**

*FINLANDE*

«La Finlande déclare, en vertu de l'article 41 du Pacte international relatif aux droits civils et politiques, qu'elle reconnaît la compétence du Comité des droits de l'homme dénommé à l'article 28 du Pacte, pour recevoir et examiner des communications dans lesquelles un Etat partie prétend qu'un autre Etat partie ne s'acquitte pas de ses obligations au titre du présent Pacte.»

*NORVÈGE*

**[TRADUCTION — TRANSLATION]**

En vertu de l'article 41 du Pacte, la Norvège reconnaît la compétence du Comité des droits de l'homme visé à l'article 28 du Pacte pour recevoir et examiner des communications dans lesquelles un Etat partie prétend qu'un autre Etat partie ne s'acquitte pas de ses obligations au titre du Pacte.

*SWEDEN*

“ . . . pursuant to article 41 of the Covenant, . . . Sweden recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.”

*SUÈDE*

## [TRANSDUCTION — TRANSLATION]

En vertu de l'article 41 du Pacte, la Suède reconnaît la compétence du Comité des droits de l'homme énoncé dans l'article 28 du Pacte pour recevoir et examiner des communications dans lesquelles un Etat partie prétend qu'un autre Etat partie ne s'acquitte pas de ses obligations au titre du présent Pacte.

## OPTIONAL PROTOCOL<sup>1</sup> TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

The States Parties to the present Protocol,

Considering that in order further to achieve the purposes of the Covenant on Civil and Political Rights (hereinafter referred to as the Covenant) and the implementation of its provisions it would be appropriate to enable the Human Rights Committee set up in part IV of the Covenant (hereinafter referred to as the Committee) to receive and consider, as provided in the present Protocol, communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant,

Have agreed as follows:

**Article 1.** A State Party to the Covenant that becomes a party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a party to the present Protocol.

**Article 2.** Subject to the provisions of article 1, individuals who claim that any of their rights enumerated in the Covenant have been violated and who have exhausted all available domestic remedies may submit a written communication to the Committee for consideration.

**Article 3.** The Committee shall consider inadmissible any communication under the present Protocol which is anonymous, or which it considers to be an abuse

<sup>1</sup> Came into force on 23 March 1976 in respect of the following States, i.e., three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession (the Covenant of 19 December 1966 on Civil and Political Rights having itself entered into force), in accordance with article 9 (1):\*

State	Date of deposit of the instrument of ratification or accession (a)	State	Date of deposit of the instrument of ratification or accession (a)
Costa Rica .....	29 November 1968	Denmark** .....	6 January 1972
(Signature affixed on 19 December 1966.)		(Signature affixed on 20 March 1968.)	
Ecuador .....	6 March 1969	Norway** .....	13 September 1972
(Signature affixed on 4 April 1968.)		(Signature affixed on 20 March 1968.)	
Colombia .....	29 October 1969	Barbados .....	5 January 1973a
(Signature affixed on 21 December 1966.)		Mauritius .....	12 December 1973a
Uruguay .....	1 April 1970	Finland .....	19 August 1975
(Signature affixed on 21 February 1967.)		(Signature affixed on 11 December 1967.)	
Madagascar .....	21 June 1971	Jamaica .....	3 October 1975
(Signature affixed on 17 September 1969.)		(Signature affixed on 19 December 1966.)	
Sweden** .....	6 December 1971		
(Signature affixed on 29 September 1967.)			

\* Same procedure, *mutatis mutandis*, as for the Covenant itself: see note\*\*, p. 173.

\*\* See p. 346 of this volume for the texts of the declarations and reservations made upon ratification or accession.



of the right of submission of such communications or to be incompatible with the provisions of the Covenant.

*Article 4.* 1. Subject to the provisions of article 3, the Committee shall bring any communications submitted to it under the present Protocol to the attention of the State Party to the present Protocol alleged to be violating any provision of the Covenant.

2. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

*Article 5.* 1. The Committee shall consider communications received under the present Protocol in the light of all written information made available to it by the individual and by the State Party concerned.

2. The Committee shall not consider any communication from an individual unless it has ascertained that:

- (a) The same matter is not being examined under another procedure of international investigation or settlement;
- (b) The individual has exhausted all available domestic remedies. This shall not be the rule where the application of the remedies is unreasonably prolonged.

3. The Committee shall hold closed meetings when examining communications under the present Protocol.

4. The Committee shall forward its views to the State Party concerned and to the individual.

*Article 6.* The Committee shall include in its annual report under article 45 of the Covenant a summary of its activities under the present Protocol.

*Article 7.* Pending the achievement of the objectives of resolution 1514 (XV) adopted by the General Assembly of the United Nations on 14 December 1960<sup>1</sup> concerning the Declaration on the Granting of Independence to Colonial Countries and Peoples, the provisions of the present Protocol shall in no way limit the right of petition granted to these peoples by the Charter of the United Nations and other international conventions and instruments under the United Nations and its specialized agencies.

*Article 8.* 1. The present Protocol is open for signature by any State which has signed the Covenant.

2. The present Protocol is subject to ratification by any State which has ratified or acceded to the Covenant. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State which has ratified or acceded to the Covenant.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

<sup>1</sup> United Nations, *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16 (A/4684)*, p. 66.

*Article 9.* 1. Subject to the entry into force of the Covenant, the present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or instrument of accession.

2. For each State ratifying the present Protocol or acceding to it after the deposit of the tenth instrument of ratification or instrument of accession, the present Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

*Article 10.* The provisions of the present Protocol shall extend to all parts of federal States without any limitations or exceptions.

*Article 11.* 1. Any State Party to the present Protocol may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Protocol with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Protocol in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Protocol and any earlier amendment which they have accepted.

*Article 12.* 1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect three months after the date of receipt of the notification by the Secretary-General.

2. Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under article 2 before the effective date of denunciation.

*Article 13.* Irrespective of the notifications made under article 8, paragraph 5, of the present Protocol, the Secretary-General of the United Nations shall inform all States referred to in article 48, paragraph 1, of the Covenant of the following particulars:

- (a) Signatures, ratifications and accessions under article 8;
- (b) The date of the entry into force of the present Protocol under article 9 and the date of the entry into force of any amendments under article 11;
- (c) Denunciations under article 12.

*Article 14.* 1. The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 48 of the Covenant.

IN FAITH WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol, opened for signature at New York, on the nineteenth day of December, one thousand nine hundred and sixty-six.

FOR AFGHANISTAN:  
POUR L'AFGHANISTAN:  
阿富汗:  
За Афганистан:  
POR EL AFGANISTÁN:

FOR ALBANIA:  
POUR L'ALBANIE:  
阿爾巴尼亞:  
За Албанию:  
POR ALBANIA:

FOR ALGERIA:  
POUR L'ALGÉRIE:  
阿爾及利亞:  
За Алжир:  
POR ARGELIA:

FOR ARGENTINA:  
POUR L'ARGENTINE:  
阿根廷:  
За Аргентину:  
POR LA ARGENTINA:

FOR AUSTRALIA:  
POUR L'AUSTRALIE:  
澳大利亞:  
За Австралию:  
POR AUSTRALIA:

FOR AUSTRIA:

POUR L'AUTRICHE:

奧地利:

За Австрию:

POR AUSTRIA:

PETER JANKOWITSCH

10 décembre 1973

FOR BARBADOS:

POUR LA BARBADE:

巴貝多:

За Барбадос:

POR BARBADOS:

FOR BELGIUM:

POUR LA BELGIQUE:

比利時:

За Бельгию:

POR BÉLGICA:

FOR BOLIVIA:

POUR LA BOLIVIE:

玻利維亞:

За Боливию:

POR BOLIVIA:

FOR BOTSWANA:

POUR LE BOTSWANA:

波扎那:

За Ботсвану:

POR BOTSWANA:

FOR BRAZIL:  
POUR LE BRÉSIL:  
巴西:  
За Бразилию:  
POR EL BRASIL:

FOR BULGARIA:  
POUR LA BULGARIE:  
保加利亞:  
За България:  
POR BULGARIA:

FOR BURMA:  
POUR LA BIRMANIE:  
緬甸:  
За Бирму:  
POR BIRMANIA:

FOR BURUNDI:  
POUR LE BURUNDI:  
布隆提:  
За Бурунди:  
POR BURUNDI:

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:  
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:  
白俄羅斯蘇維埃社會主義共和國:  
За Белорусскую Советскую Социалистическую Республику:  
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

FOR CAMBODIA:  
POUR LE CAMBODGE:  
柬埔寨:  
За Камбоджу:  
POR CAMBOYA:

FOR CAMEROON:  
POUR LE CAMEROUN:  
喀麥隆:  
За Камерун:  
POR EL CAMERÚN:

FOR CANADA:  
POUR LE CANADA:  
加拿大:  
За Канаду:  
POR EL CANADÁ:

FOR THE CENTRAL AFRICAN REPUBLIC:  
POUR LA RÉPUBLIQUE CENTRAFRICAINE:  
中非共和國:  
За Центральноафриканскую Республику:  
POR LA REPÚBLICA CENTROAFRICANA:

FOR CEYLON:  
POUR CEYLAN:  
錫蘭:  
За Цейлон:  
POR CEILÁN:

FOR CHAD:  
POUR LE TCHAD:  
查德:  
За Чад:  
POR EL CHAD:

FOR CHILE:  
POUR LE CHILI:  
智利:  
За Чили:  
POR CHILE:

FOR CHINA:  
POUR LA CHINE:  
中國:  
За Китай:  
POR CHINA:

[Signed — Signé]<sup>1, 2</sup>

FOR COLOMBIA:  
POUR LA COLOMBIE:  
哥倫比亞:  
За Колумбию:  
POR COLOMBIA:

EVARISTO SOURDIS  
Dic. 21 de 1966<sup>3</sup>

FOR THE CONGO (BRAZZAVILLE):  
POUR LE CONGO (BRAZZAVILLE):  
剛果 (布拉斯維爾):  
За Конго (Браззавиль):  
POR EL CONGO (BRAZZAVILLE):

FOR THE CONGO (DEMOCRATIC REPUBLIC OF):  
POUR LE CONGO (RÉPUBLIQUE DÉMOCRATIQUE DU):  
剛果 (民主共和國):  
За Демократическую Республику Конго:  
POR EL CONGO (REPÚBLICA DEMOCRÁTICA DE):

<sup>1</sup> Signature affixed by Liu Chieh on 5 October 1967—La signature a été apposée par Liu Chieh le 5 octobre 1967.

<sup>2</sup> The following countries made declarations relating to the signature on behalf of the Government of the Republic of China: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Mongolia, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Yugoslavia. For the texts of the said declarations, see No. I-14531 in volume 993.—Les pays suivants ont fait des déclarations relatives à la signature au nom du Gouvernement de la République de Chine: la Bulgarie, la République socialiste soviétique de Biélorussie, la Tchécoslovaquie, la Mongolie, la Roumanie, la République socialiste soviétique d'Ukraine, l'Union des Républiques socialistes soviétiques et la Yougoslavie. Pour les textes desdites déclarations, voir n° I-14531 dans le volume 993.

<sup>3</sup> 21 December 1966—21 décembre 1966.



FOR COSTA RICA:  
POUR LE COSTA RICA:  
哥斯大黎加:  
За Коста-Рику:  
POR COSTA RICA:

LUIS D. TINOCO

FOR CUBA:  
POUR CUBA:  
古巴:  
За Кубу:  
POR CUBA:

FOR CYPRUS:  
POUR CHYPRE:  
賽普勒斯:  
За Кипр:  
POR CHIPRE:

ZENON ROSSIDES

FOR CZECHOSLOVAKIA:  
POUR LA TCHÉCOSLOVAQUIE:  
捷克斯拉夫:  
За Чехословакию:  
POR CHECOSLOVAQUIA:

FOR DAHOMEY:  
POUR LE DAHOMEY:  
達荷美:  
За Дагомею:  
POR EL DAHOMEY:

FOR DENMARK:  
POUR LE DANEMARK:  
丹麥:  
За Данию:  
POR DINAMARCA:

OTTO ROSE BORCH  
March 20, 1968

FOR THE DOMINICAN REPUBLIC:  
POUR LA RÉPUBLIQUE DOMINICAINE:  
多明尼加共和國:  
За Доминиканскую Республику:  
POR LA REPÚBLICA DOMINICANA:

FOR ECUADOR:  
POUR L'ÉQUATEUR:  
厄瓜多:  
За Эквадор:  
POR EL ECUADOR:

HUGO FÁTIMA ORTIZ  
Abril 4 de 1968<sup>1</sup>

FOR EL SALVADOR:  
POUR EL SALVADOR:  
薩爾瓦多:  
За Сальвадор:  
POR EL SALVADOR:

ALFREDO MARTÍNEZ MORENO  
Septiembre 21, 1967<sup>2</sup>

FOR ETHIOPIA:  
POUR L'ÉTHIOPIE:  
衣索比亞:  
За Эфиопию:  
POR ETIOPÍA:

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<sup>1</sup> 4 April 1968 — 4 avril 1968.

<sup>2</sup> 21 September 1967 — 21 septembre 1967.

FOR THE FEDERAL REPUBLIC OF GERMANY:  
POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:  
德意志聯邦共和國:  
За Федеративную Республику Германии:  
POR LA REPÚBLICA FEDERAL DE ALEMANIA:

FOR FINLAND:  
POUR LA FINLANDE:  
芬蘭:  
За Финляндию:  
POR FINLANDIA:

MAX JAKOBSON  
December 11, 1967

FOR FRANCE:  
POUR LA FRANCE:  
法蘭西:  
За Францию:  
POR FRANCIA:

FOR GABON:  
POUR LE GABON:  
加彭:  
За Габон:  
POR EL GABÓN:

FOR GAMBIA:  
POUR LA GAMBIE:  
岡比亞:  
За Гамбию:  
POR GAMBIA:

FOR GHANA:

POUR LE GHANA:

迦納:

За Гану:

POR GHANA:

FOR GREECE:

POUR LA GRÈCE:

希臘:

За Грещю:

POR GRECIA:

FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉:

За Гватемалу:

POR GUATEMALA:

FOR GUINEA:

POUR LA GUINÉE:

幾內亞:

За Гвинею:

POR GUINEA:

JEANNE MARTIN CISSE

19 mars 1975

FOR GUYANA:

POUR LA GUYANE:

蓋亞那:

За Гвиану:

POR GUYANA:

FOR HAÏTI:  
POUR HAÏTI:  
海地:  
За Гаяти:  
POR HAÏTÍ:

FOR THE HOLY SEE:  
POUR LE SAINT-SIÈGE:  
教廷:  
За Святейший Престол:  
POR LA SANTA SEDE:

FOR HONDURAS:  
POUR LE HONDURAS:  
宏都拉斯:  
За Гондурас:  
POR HONDURAS:

H. LÓPEZ VILLAMIL

FOR HUNGARY:  
POUR LA HONGRIE:  
匈牙利:  
За Венгрию:  
POR HUNGRÍA:

FOR ICELAND:  
POUR L'ISLANDE:  
冰島:  
За Исландию:  
POR ISLANDIA:

FOR INDIA:  
POUR L'INDE:  
印度:  
За Индию:  
POR LA INDIA:

FOR INDONESIA:  
POUR L'INDONÉSIE:  
印度尼西亞:  
За Индонезию:  
POR INDONESIA:

FOR IRAN:  
POUR L'IRAN:  
伊朗:  
За Иран:  
POR EL IRÁN:

FOR IRAQ:  
POUR L'IRAK:  
伊拉克:  
За Ирак:  
POR EL IRAK:

FOR IRELAND:  
POUR L'IRLANDE:  
愛爾蘭:  
За Ирландию:  
POR IRLANDA:

FOR ISRAEL:  
POUR ISRAËL:  
以色列:  
За Израиль:  
POR ISRAEL:

FOR ITALY:  
POUR L'ITALIE:  
義大利:  
За Италию:  
POR ITALIA:

FOR THE IVORY COAST:  
POUR LA CÔTE-D'IVOIRE:  
牙象海岸:  
За Берег Слоновой Кости:  
POR LA COSTA DE MARFIL:

FOR JAMAICA:  
POUR LA JAMAÏQUE:  
牙買加:  
За Ямайку:  
POR JAMAICA:

E. R. RICHARDSON

FOR JAPAN:  
POUR LE JAPON:  
日本:  
За Японию:  
POR EL JAPÓN:

FOR JORDAN:  
POUR LA JORDANIE:  
約旦:  
За Иорданию:  
POR JORDANIA:

**FOR KENYA:**

**POUR LE KENYA:**

**肯亞:**

**За Кенню:**

**POR KENIA:**

**FOR KUWAIT:**

**POUR LE KOWEÏT:**

**科威特:**

**За Кувейт:**

**POR KUWAIT:**

**FOR LAOS:**

**POUR LE LAOS:**

**寮國:**

**За Лаос:**

**POR LAOS:**

**FOR LEBANON:**

**POUR LE LIBAN:**

**黎巴嫩:**

**За Ливан:**

**POR EL LÍBANO:**

**FOR LESOTHO:**

**POUR LE LESOTHO:**

**賴索托:**

**За Лесото:**

**POR LESOTHO:**

**FOR LIBERIA:**

**POUR LE LIBÉRIA:**

**賴比瑞亞:**

**За Либерию:**

**POR LIBERIA:**



FOR LIBYA:  
POUR LA LIBYE:  
利比亞:  
За Ливию:  
POR LIBIA:

FOR LIECHTENSTEIN:  
POUR LE LIECHTENSTEIN:  
列支敦斯登:  
За Лихтенштейн:  
POR LIECHTENSTEIN:

FOR LUXEMBOURG:  
POUR LE LUXEMBOURG:  
盧森堡:  
За Люксембург:  
POR LUXEMBURGO:

FOR MADAGASCAR:  
POUR MADAGASCAR:  
馬達加斯加:  
За Мадагаскар:  
POR MADAGASCAR:

BLAISE RABETAFIKA  
17 septembre 1969

FOR MALAWI:  
POUR LE MALAWI:  
馬拉威:  
За Малави:  
POR MALAWI:

FOR MALAYSIA:

POUR LA MALAISIE:

馬來亞聯邦:

За Малайскую Федерацию:

FOR MALASIA:

FOR THE MALDIVE ISLANDS:

POUR LES ÎLES MALDIVES:

馬爾代夫羣島:

За Мальдивские острова:

FOR LAS ISLAS MALDIVAS:

FOR MALI:

POUR LE MALI:

馬利:

За Мали:

FOR MALÍ:

FOR MALTA:

POUR MALTE:

馬耳他:

За Мальту:

FOR MALTA:

FOR MAURITANIA:

POUR LA MAURITANIE:

茅利塔尼亞:

За Мавританию:

FOR MAURITANIA:

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥:

За Мексику:

FOR MÉXICO:

**FOR MONACO:**

**POUR MONACO:**

**摩納哥:**

**За Монако:**

**POR MÓNACO:**

**FOR MONGOLIA:**

**POUR LA MONGOLIE:**

**蒙古:**

**За Монголиа:**

**POR MONGOLIA:**

**FOR MOROCCO:**

**POUR LE MAROC:**

**摩洛哥:**

**За Марокко:**

**POR MARRUECOS:**

**FOR NEPAL:**

**POUR LE NÉPAL:**

**尼泊爾:**

**За Непал:**

**POR NEPAL:**

**FOR THE NETHERLANDS:**

**POUR LES PAYS-BAS:**

**荷蘭:**

**За Нидерланды:**

**POR LOS PAÍSES BAJOS:**

**D. G. E. MIDDELBURG**

**25 June 1969**

FOR NEW ZEALAND:  
POUR LA NOUVELLE-ZÉLANDE:  
紐西蘭:  
За Новую Зеландию:  
POR NUEVA ZELANDIA:

FOR NICARAGUA:  
POUR LE NICARAGUA:  
尼加拉瓜:  
За Никарагуа:  
POR NICARAGUA:

FOR THE NIGER:  
POUR LE NIGER:  
奈及爾:  
За Нигер:  
POR EL NÍGER:

FOR NIGERIA:  
POUR LA NIGÉRIA:  
奈及利亞:  
За Нигерию:  
POR NIGERIA:

FOR NORWAY:  
POUR LA NORVÈGE:  
挪威:  
За Норвегию:  
POR NORUEGA:

EDVARD HAMBRO  
March 20, 1968

FOR PAKISTAN:  
POUR LE PAKISTAN:  
巴基斯坦:  
За Пакистан:  
POR EL PAKISTÁN:

FOR PANAMA:  
POUR LE PANAMA:  
巴拿馬:  
За Панаму:  
POR PANAMÁ:

FOR PARAGUAY:  
POUR LE PARAGUAY:  
巴拉圭:  
За Парагвай:  
POR EL PARAGUAY:

FOR PERU:  
POUR LE PÉROU:  
祕魯:  
За Перу:  
POR EL PERÚ:

FOR THE PHILIPPINES:  
POUR LES PHILIPPINES:  
菲律賓:  
За Филиппины:  
POR FILIPINAS:

SALVADOR P. LÓPEZ

FOR POLAND:  
POUR LA POLOGNE:  
波蘭:  
За Польшу:  
POR POLONIA:

FOR PORTUGAL:  
POUR LE PORTUGAL:  
葡萄牙:  
За Португалию:  
POR PORTUGAL:

FOR THE REPUBLIC OF KOREA:  
POUR LA RÉPUBLIQUE DE CORÉE:  
大韓民國:  
За Корейскую Республику:  
POR LA REPÚBLICA DE COREA:

FOR THE REPUBLIC OF VIET-NAM:  
POUR LA RÉPUBLIQUE DU VIET-NAM:  
越南共和國:  
За Республику Вьетнам:  
POR LA REPÚBLICA DE VIET-NAM:

FOR ROMANIA:  
POUR LA ROUMANIE:  
羅馬尼亞:  
За Румынию:  
POR RUMANIA:

FOR RWANDA:  
POUR LE RWANDA:  
盧安達:  
За Руанду:  
POR RWANDA:

FOR SAN MARINO:  
POUR SAINT-MARIN:  
聖馬利諾:  
За Сан-Марино:  
POR SAN MARINO:

FOR SAUDI ARABIA:  
POUR L'ARABIE SAUDITE:  
沙烏地阿拉伯:  
За Саудовскую Аравию:  
POR ARABIA SAUDITA:

FOR SENEGAL:  
POUR LE SÉNÉGAL:  
塞內加爾:  
За Сенегал:  
POR EL SENEGAL:

IBRAHIMA BOYE  
Ambassadeur du Sénégal à l'ONU  
New York, le 6 juillet 1970

FOR SIERRA LEONE:  
POUR LE SIERRA LEONE:  
獅子山:  
За Сьерра-Леоне:  
POR SIERRA LEONA:

FOR SINGAPORE:  
POUR SINGAPOUR:  
新加坡:  
За Сингапур:  
POR SINGAPUR:

FOR SOMALIA:  
POUR LA SOMALIE:  
索馬利亞:  
За Сомали:  
POR SOMALIA:

FOR SOUTH AFRICA:  
POUR L'AFRIQUE DU SUD:  
南非:  
За Южную Африку:  
POR SUDÁFRICA:

FOR SPAIN:  
POUR L'ESPAGNE:  
西班牙:  
За Испанию:  
POR ESPAÑA:

FOR THE SUDAN:  
POUR LE SOUDAN:  
蘇丹:  
За Судан:  
POR EL SUDÁN:

FOR SWEDEN:  
POUR LA SUÈDE:  
瑞典:  
За Швецию:  
POR SUECIA:

TORSTEN NILSSON  
29 September 1967



**FOR SWITZERLAND:**

**POUR LA SUISSE:**

**瑞士:**

**За Швейцария:**

**POR SUIZA:**

**FOR SYRIA:**

**POUR LA SYRIE:**

**叙利亞:**

**За Сирия:**

**POR SIRIA:**

**FOR THAILAND:**

**POUR LA THAILANDE:**

**泰國:**

**За Таиланд:**

**POR TAILANDIA:**

**FOR TOGO:**

**POUR LE TOGO:**

**多哥:**

**За Того:**

**POR EL TOGO:**

**FOR TRINIDAD AND TOBAGO:**

**POUR LA TRINITÉ ET TOBAGO:**

**千里達及托貝哥:**

**За Тринидад и Тобаго:**

**POR TRINIDAD Y TABAGO:**

**FOR TUNISIA:**

**POUR LA TUNISIE:**

**突尼西亞:**

**За Тунис:**

**POR TÚNEZ:**

**FOR TURKEY:**

**POUR LA TURQUIE:**

**土耳其:**

**За Турцию:**

**FOR TURQUIA:**

**FOR UGANDA:**

**POUR L'UGANDA:**

**烏干達:**

**За Уганду:**

**FOR UGANDA:**

**FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:**

**POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:**

**烏克蘭蘇維埃社會主義共和國:**

**За Украинскую Советскую Социалистическую Республику:**

**FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:**

**FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:**

**POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:**

**蘇維埃社會主義共和國聯邦:**

**За Союз Советских Социалистических Республик:**

**FOR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:**

**FOR THE UNITED ARAB REPUBLIC:**

**POUR LA RÉPUBLIQUE ARABE UNIE:**

**阿拉伯聯合共和國:**

**За Объединенную Арабскую Республику:**

**FOR LA REPÚBLICA ARABE UNIDA:**

**FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:**

**POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:**

**大不列顛及北愛爾蘭聯合王國:**

**За Соединенное Королевство Великобритании и Северной Ирландии:**

**FOR EL REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE:**

FOR THE UNITED REPUBLIC OF TANZANIA:  
POUR LA RÉPUBLIQUE-UNIE DE TANZANIE:  
坦尚尼亞聯合共和國:  
За Объединенную Республику Танзания:  
POR LA REPÚBLICA UNIDA DE TANZANIA:

FOR THE UNITED STATES OF AMERICA:  
POUR LES ETATS-UNIS D'AMÉRIQUE:  
美利堅合衆國:  
За Соединенные Штаты Америки:  
POR LOS ESTADOS UNIDOS DE AMÉRICA:

FOR THE UPPER VOLTA:  
POUR LA HAUTE-VOLTA:  
上伏塔:  
За Верхнюю Вольту:  
POR EL ALTO VOLTA:

FOR URUGUAY:  
POUR L'URUGUAY:  
烏拉圭:  
За Уругвай:  
POR EL URUGUAY:

PEDRO P. BERRO  
Febrero 21, 1967<sup>1</sup>

FOR VENEZUELA:  
POUR LE VENEZUELA:  
委內瑞拉:  
За Венесуэлу:  
POR VENEZUELA:

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<sup>1</sup> 21 February 1967—21 février 1967.

**FOR WESTERN SAMOA:**

**POUR LE SAMOA-OccIDENTAL:**

**西薩摩亞:**

**За Западное Самоа:**

**FOR SAMOA OccIDENTAL:**

**FOR YEMEN:**

**POUR LE YÉMEN:**

**也門:**

**За Йемен:**

**FOR EL YEMEN:**

**FOR YUGOSLAVIA:**

**POUR LA Yougoslavie:**

**南斯拉夫:**

**За Югославию:**

**FOR YUGOSLAVIA:**

**FOR ZAMBIA:**

**POUR LA ZAMBIE:**

**尚比亞:**

**За Замбию:**

**FOR ZAMBIA:**

# DECLARATIONS AND RESERVATIONS MADE UPON RATIFICATION OR ACCESSION

## DENMARK

“With reference to Article 5, paragraph 2 (a), the Government of Denmark makes a reservation with respect to the Competence of the Committee to consider a communication from an individual if the matter has already been considered under other procedures of international investigation.”

## NORWAY

“Norway enters a reservation to article 5, paragraph 2, to the effect that the Committee shall not have competence to consider a communication from an individual if the same matter has already been examined under other procedures of international investigation or settlement.”

## SWEDEN

[SWEDISH TEXT — TEXTE SUÉDOIS]

“... med förbehåll för att bestämmelserna i artikel 5 mom. 2 i protokollet innebära att den kommitté för de mänskliga rättigheterna som nämnes i artikel 28 i sagda internationella konvention, icke skall pröva någon framställning från enskild person med mindre den uttrönt att samma ärende icke är eller har varit föremål för internationell undersökning eller reglering i annan form.”

[TRANSLATION — TRADUCTION]

... on the understanding that the provisions of article 5, paragraph 2, of the Protocol signify that the Human Rights Committee provided for in article 28 of the said Covenant shall not consider any communication from an individual unless it has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

# DÉCLARATIONS ET RÉSERVES FAITES LORS DE LA RATIFICATION OU DE L'ADHÉSION

## DANEMARK

[TRADUCTION — TRANSLATION]

S'agissant de l'alinéa a du paragraphe 2 de l'article 5, le Gouvernement danois fait une réserve en ce qui concerne la compétence du Comité pour examiner une communication soumise par un particulier si la même question a déjà été examinée dans le cadre d'autres procédures d'enquête internationale.

## NORVÈGE

[TRADUCTION — TRANSLATION]

La Norvège a fait, à l'égard du paragraphe 2 de l'article 5, une réserve aux termes de laquelle le Comité ne sera pas compétent pour examiner une communication d'un particulier si la même question a déjà été examinée par d'autres instances internationales d'enquête ou de règlement.

## SUÈDE

«... sous réserve que les dispositions du paragraphe 2 de l'article 5 du Protocole signifient que le Comité des droits de l'homme prévu par l'article 28 dudit Pacte ne devra examiner aucune communication émanant d'un particulier sans s'être assuré que la même question n'est pas en cours d'examen ou n'a pas été examinée devant une autre instance internationale d'enquête ou de règlement.»

## INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Senate Consideration of Treaty Document 95-20

**Formal Title**

The International Covenant on Civil and Political Rights, signed on behalf of the United States on October 5, 1977.

**Date Received from President**

02/23/1978

**Originating Organization**

United Nations

**Latest Senate Action**

04/02/1992

Resolution of advice and consent to ratification agreed to in Senate by Division Vote.

[Actions \(7\)](#)
[Text - Resolution of Ratification](#)
[Text - Treaty Document](#)
[Amendments \(0\)](#)
[More Info](#)

TEXT OF RESOLUTION OF ADVICE AND CONSENT TO RATIFICATION AS REPORTED BY THE COMMITTEE ON FOREIGN RELATIONS AND APPROVED BY THE SENATE:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly on December 16, 1966, and signed on behalf of the United States on October 5, 1977, (Executive E, 95-2), subject to the following Reservations, Understandings, Declarations and Proviso:

I. The Senate's advice and consent is subject to the following reservations:

- (1) That Article 20 does not authorize or require legislation or other action by the United States that would restrict the right of free speech and association protected by the Constitution and laws of the United States.
- (2) That the United States reserves the right, subject to its Constitutional constraints, to impose capital punishment on any person (other than a pregnant woman) duly convicted under existing or future laws permitting the imposition of capital punishment, including such punishment for crimes committed by persons below eighteen years of age.
- (3) That the United States considers itself bound by Article 7 to the extent that "cruel, inhuman or degrading treatment or punishment" means the cruel and unusual treatment or punishment prohibited by the Fifth, Eighth and/or Fourteenth Amendments to the Constitution of the United States.
- (4) That because U.S. law generally applies to an offender the penalty in force at the time the offense was committed, the United States does not adhere to the third clause of paragraph 1 of Article 15.
- (5) That the policy and practice of the United States are generally in compliance with and supportive of the Covenant's provisions regarding treatment of juveniles in the criminal justice system. Nevertheless, the United States reserves the right, in exceptional circumstances, to treat juveniles as adults, notwithstanding paragraphs 2(b) and 3 of Article 10 and paragraph 4 of Article 14. The United States further reserves to these provisions with respect to individuals who volunteer for military service prior to age 18.

II. The Senate's advice and consent is subject to the following understandings, which shall apply to the obligations of the United States under this Covenant:

- (1) That the Constitution and laws of the United States guarantee all persons equal protection of the law and provide extensive protections against discrimination. The United States understands distinctions based upon race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status -- as those terms are used in Article 2, paragraph 1 and Article 26 -- to be permitted when such distinctions are, at minimum, rationally related to a legitimate governmental objective. The United States further understands the prohibition in paragraph 1 of Article 4 upon discrimination, in time of public emergency, based "solely" on the status of race, colour, sex, language, religion or social origin not to bar distinctions that may have a disproportionate effect upon persons of a particular status.
- (2) That the United States understands the right to compensation referred to in Articles 9(5) and 14(6) to require the provision of effective and enforceable mechanisms by which a victim of an unlawful arrest or detention or a miscarriage of justice may seek and, where justified, obtain compensation from either the responsible individual or the appropriate governmental entity. Entitlement to compensation may be subject to the reasonable requirements of domestic law.
- (3) That the United States understands the reference to "exceptional circumstances" in paragraph 2(a) of Article 10 to permit the imprisonment of an accused person with convicted persons where appropriate in light of an individual's overall dangerousness, and to permit accused persons to waive their right to segregation from convicted persons. The United States further understands that paragraph 3 of Article 10 does not diminish the goals of punishment, deterrence, and incapacitation as additional legitimate purposes for a penitentiary system.
- (4) That the United States understands that subparagraphs 3(b) and (d) of Article 14 do not require the provision of a criminal defendant's counsel of choice when the defendant is provided with court-appointed counsel on grounds of indigence, when the

defendant is financially able to retain alternative counsel, or when imprisonment is not imposed. The United States further understands that paragraph 3(e) does not prohibit a requirement that the defendant make a showing that any witness whose attendance he seeks to compel is necessary for his defense. The United States understands the prohibition upon double jeopardy in paragraph 7 to apply only when the judgement of acquittal has been rendered by a court of the same governmental unit, whether the Federal Government or a constituent unit, as is seeking a new trial for the same cause.

(5) That the United States understands that this Covenant shall be implemented by the Federal Government to the extent that it exercises legislative and judicial jurisdiction over the matters covered therein, and otherwise by the state and local governments; to the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall take measures appropriate to the Federal system to the end that the competent authorities of the state or local governments may take appropriate measures for the fulfillment of the Covenant.

III. The Senate's advice and consent is subject to the following declarations:

(1) That the United States declares that the provisions of Articles 1 through 27 of the Covenant are not self-executing.

(2) That it is the view of the United States that States Party to the Covenant should wherever possible refrain from imposing any restrictions or limitations on the exercise of the rights recognized and protected by the Covenant, even when such restrictions and limitations are permissible under the terms of the Covenant. For the United States, Article 5, paragraph 2, which provides that fundamental human rights existing in any State Party may not be diminished on the pretext that the Covenant recognizes them to a lesser extent, has particular relevance to Article 19, paragraph 3, which would permit certain restrictions on the freedom of expression. The United States declares that it will continue to adhere to the requirements and constraints of its Constitution in respect to all such restrictions and limitations.

(3) That the United States declares that it accepts the competence of the Human Rights Committee to receive and consider communications under Article 41 in which a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

(4) That the United States declares that the right referred to in Article 47 may be exercised only in accordance with international law.

IV. The Senate's advice and consent is subject to the following proviso, which shall not be included in the instrument of ratification to be deposited by the President:

Nothing in this Covenant requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States.