

of the Year and to submit a progress report thereon to the General Assembly at its forty-fifth session;

6. *Also requests* the Secretary-General to take specific measures, through all the communication media at his disposal, to give widespread publicity to the activities of the United Nations system in the area of family issues and to increase the dissemination of information on this subject;

7. *Designates* the Commission for Social Development as the preparatory body and the Economic and Social Council as the co-ordinating body for the International Year of the Family;

8. *Decides* to consider the report of the Secretary-General at its forty-fifth session under an item entitled "International Year of the Family".

78th plenary meeting
8 December 1989

44/127. International Literacy Year

The General Assembly,

Recalling its resolution 42/104 of 7 December 1987, by which it proclaimed 1990 as International Literacy Year,

Recalling also that in the Universal Declaration of Human Rights⁴ and the International Covenant on Economic, Social and Cultural Rights⁵ the inalienable right of every individual to education is recognized,

Mindful of the fact that the eradication of illiteracy is one of the paramount objectives of the International Development Strategy for the Third United Nations Development Decade¹⁰ and should become one of the objectives of the strategy for the fourth United Nations development decade,

Emphasizing that widespread illiteracy, especially in many developing countries, seriously hinders the process of economic and social development and the cultural and spiritual advancement of society,

Convinced that literacy, especially functional literacy and adequate education, represents an indispensable element for development and for the harnessing of science, technology and human resources for economic and social progress,

Confident that International Literacy Year will offer a unique opportunity for mobilizing efforts at the national, regional and international levels to combat illiteracy,

Welcoming the programme for International Literacy Year prepared by the United Nations Educational, Scientific and Cultural Organization,

Recognizing that the United Nations Educational, Scientific and Cultural Organization has assumed the role of lead organization for International Literacy Year,

1. *Notes with satisfaction* the commendable work done by the United Nations Educational, Scientific and Cultural Organization and its Director-General to ensure adequate preparation for International Literacy Year;

2. *Commends* those Governments that have established national committees or similar structures for International Literacy Year and have launched national programmes aimed at meeting the objectives of the Year;

3. *Expresses its appreciation* to the specialized agencies and other organizations of the United Nations system for their contribution to the preparation for International Literacy Year;

4. *Notes with satisfaction* the active involvement of many non-governmental organizations in preparatory activities for International Literacy Year and, in particular, the establishment of the International Task Force on Literacy;

5. *Welcomes* the convening of the World Conference on Education for All, to be held in Thailand in March 1990 under the joint sponsorship of the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme, the United Nations Children's Fund and the World Bank;

6. *Invites* Member States, specialized agencies and other organizations of the United Nations system and relevant intergovernmental and non-governmental organizations to take appropriate measures with a view to achieving the objectives of International Literacy Year;

7. *Also invites* Governments that have not yet done so to establish a programme of measures for enhancing literacy and functional literacy for the period up to the year 2000 along the lines of the Plan of Action for the Eradication of Illiteracy by the Year 2000 of the United Nations Educational, Scientific and Cultural Organization;¹¹

8. *Appeals* to Governments, economic and financial organizations and institutions, both national and international, to lend financial and material support to local, national and regional initiatives to promote literacy;

9. *Requests* the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization to give wide publicity to the activities and measures to be undertaken during International Literacy Year;

10. *Also requests* the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Economic and Social Council, a report on the implementation of the programme for International Literacy Year;

11. *Decides* to include in the provisional agenda of its forty-sixth session an item entitled "International Literacy Year".

82nd plenary meeting
15 December 1989

44/128. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

The General Assembly,

Recalling article 3 of the Universal Declaration of Human Rights adopted in its resolution 217 A (III) of 10 December 1948,

Recalling also article 6 of the International Covenant on Civil and Political Rights contained in the annex to its resolution 2200 A (XXI) of 16 December 1966,

Mindful of its decision 35/437 of 15 December 1980, reaffirmed in its resolution 36/59 of 25 November 1981, to consider the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,

Mindful also of its resolution 37/192 of 18 December 1982, in which it requested the Commission on Human

¹⁰ See resolution 35/56, annex.

¹¹ See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-fifth Session*, vol. 1, *Resolutions*, p. 71.

Rights to consider the idea of elaborating a draft of a second optional protocol, and its resolution 39/137 of 14 December 1984, in which it requested the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider the idea further,

Taking note of the comparative analysis prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹¹²

Taking note also of the views expressed by Governments in favour of and against the death penalty and of their comments and observations regarding such a second optional protocol, as reproduced in the relevant reports of the Secretary-General,¹¹³

Referring to its decision 42/421 of 7 December 1987, and to Commission on Human Rights resolution 1989/25 of 6 March 1989 and Economic and Social Council decision 1989/139 of 24 May 1989, pursuant to which the comparative analysis and the draft second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, prepared by the Special Rapporteur, were transmitted to the General Assembly for suitable action,

Wishing to give States parties to the International Covenant on Civil and Political Rights that choose to do so the opportunity to become parties to a second optional protocol to that convention,

Having considered the draft second optional protocol,

1. *Expresses its appreciation* for the work achieved by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

2. *Adopts* and opens for signature, ratification and accession the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, contained in the annex to the present resolution;

3. *Calls upon* all Governments in a position to do so to consider signing and ratifying or acceding to the Second Optional Protocol.

82nd plenary meeting
15 December 1989

ANNEX

Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

The States Parties to the present Protocol,

Believing that abolition of the death penalty contributes to enhancement of human dignity and progressive development of human rights,

Recalling article 3 of the Universal Declaration of Human Rights,⁴ adopted on 10 December 1948, and article 6 of the International Covenant on Civil and Political Rights,⁵ adopted on 16 December 1966,

Noting that article 6 of the International Covenant on Civil and Political Rights refers to abolition of the death penalty in terms that strongly suggest that abolition is desirable,

Convinced that all measures of abolition of the death penalty should be considered as progress in the enjoyment of the right to life,

Desirous to undertake hereby an international commitment to abolish the death penalty,

Have agreed as follows:

Article 1

1. No one within the jurisdiction of a State Party to the present Protocol shall be executed.
2. Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.

Article 2

1. No reservation is admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty in time of war pursuant to a conviction for a most serious crime of a military nature committed during war-time.
2. The State Party making such a reservation shall at the time of ratification or accession communicate to the Secretary-General of the United Nations the relevant provisions of its national legislation applicable during wartime.
3. The State Party having made such a reservation shall notify the Secretary-General of the United Nations of any beginning or ending of a state of war applicable to its territory.

Article 3

The States Parties to the present Protocol shall include in the reports they submit to the Human Rights Committee, in accordance with article 40 of the Covenant, information on the measures that they have adopted to give effect to the present Protocol.

Article 4

With respect to the States Parties to the Covenant that have made a declaration under article 41, the competence of the Human Rights Committee to receive and consider communications when a State Party claims that another State Party is not fulfilling its obligations shall extend to the provisions of the present Protocol, unless the State Party concerned has made a statement to the contrary at the moment of ratification or accession.

Article 5

With respect to the States Parties to the first Optional Protocol to the International Covenant on Civil and Political Rights adopted on 16 December 1966, the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction shall extend to the provisions of the present Protocol, unless the State Party concerned has made a statement to the contrary at the moment of ratification or accession.

Article 6

1. The provisions of the present Protocol shall apply as additional provisions to the Covenant.
2. Without prejudice to the possibility of a reservation under article 2 of the present Protocol, the right guaranteed in article 1, paragraph 1, of the present Protocol shall not be subject to any derogation under article 4 of the Covenant.

Article 7

1. The present Protocol is open for signature by any State that has signed the Covenant.
2. The present Protocol is subject to ratification by any State that has ratified the Covenant or acceded to it. 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 that has ratified the Covenant or acceded to it.
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 that have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

Article 8

1. 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 accession.
2. For each State ratifying the present Protocol or acceding to it after the deposit of the tenth instrument of ratification or accession, the pres-

¹¹² E/CN.4/Sub.2/1987/20.

¹¹³ A/36/441 and Add.1 and 2, A/37/407 and Add.1 and A/44/592 and Add.1.

ent Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or accession.

Article 9

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

Article 10

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) Reservations, communications and notifications under article 2 of the present Protocol;
- (b) Statements made under articles 4 or 5 of the present Protocol;
- (c) Signatures, ratifications and accessions under article 7 of the present Protocol;
- (d) The date of the entry into force of the present Protocol under article 8 thereof.

Article 11

1. The present Protocol, of which the Arabic, 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.

44/129. International Covenants on Human Rights

The General Assembly,

Recalling its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980, 36/58 of 25 November 1981, 37/191 of 18 December 1982, 38/116 and 38/117 of 16 December 1983, 39/136 and 39/138 of 14 December 1984, 40/115 and 40/116 of 13 December 1985, 41/32 of 3 November 1986, 41/119 and 41/121 of 4 December 1986, 42/103 and 42/105 of 7 December 1987 and 43/114 of 8 December 1988, and taking note of the general comments adopted by the Human Rights Committee at its 891st meeting, on 5 April 1989,¹¹⁴ under article 40, paragraph 4, of the International Covenant on Civil and Political Rights,⁵

Mindful that the International Covenants on Human Rights⁵ constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,⁴ form the core of the International Bill of Human Rights,

Taking note of the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the Optional Protocol to the International Covenant on Civil and Political Rights,¹¹⁵

Recalling the International Covenant on Economic, Social and Cultural Rights⁵ and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocol thereto,⁵

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

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

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee¹¹⁶ and the report of the Committee on Economic, Social and Cultural Rights on its third session,¹¹⁷

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenants on Human Rights,

Recalling with satisfaction the results of the meeting of persons chairing human rights treaty bodies, held at Geneva from 10 to 14 October 1988,¹¹⁸

1. *Takes note with appreciation* of the report of the Human Rights Committee on its thirty-fourth, thirty-fifth and thirty-sixth sessions,¹¹⁶ including the suggestions and recommendations of a general nature approved by the Committee;

2. *Also takes note with appreciation* of the report of the Committee on Economic, Social and Cultural Rights on its third session, including its suggestions and recommendations;

3. *Expresses its satisfaction* with the serious and constructive manner in which both Committees are carrying out their functions;

4. *Urges* States parties to the International Covenants on Human Rights to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights;

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

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

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

8. *Notes with satisfaction* that the majority of States parties to the International Covenant on Civil and Political Rights and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights have been represented by experts in the presentation of their reports, thereby assisting the respective monitoring bodies in their work, and hopes that all States

¹¹⁶ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 40 (A/44/40).

¹¹⁷ Official Records of the Economic and Social Council, 1989, Supplement No. 4 (E/1989/22).

¹¹⁸ See HRI/MC/1988/CRP.1.

¹¹⁴ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 40 (A/44/40), annex VI.

¹¹⁵ A/44/441.