

The application of international human rights standards in domestic law

The Legal Division, Commonwealth Secretariat*

I INTRODUCTION

An important Commonwealth initiative was taken in 1988 to explore the application of international human rights standards in domestic law. That first step was taken by senior judges who came together in a judicial colloquium in Bangalore, India, to examine recent and growing developments in the Common Law involving both judges and lawyers drawing on international human rights jurisprudence in order to augment the domestic law of their jurisdictions. There have been two other judicial colloquia since then - in Harare, Zimbabwe, in 1989; and in Banjul, The Gambia, in 1990. A fourth will take place in Abuja, Nigeria, in December 1991.

This paper surveys the domestic application of international human rights standards in the context of Commonwealth experience and in the light of the considerable interest being given the subject by the judiciary and leading practitioners in this field.

II THE BACKGROUND

Human rights norms have developed in accordance with the varying notions of changing times. Their universal acknowledgment is a relatively recent phenomenon. Historically, the demand for basic human rights was made almost exclusively at the national or state level and was seen as a matter of domestic concern.

It was not until the aftermath of World War II, and because of the horrors of that war, that the international community took steps to establish a permanent structure, through the UN system, for the protection and promotion of human rights not only within the confines of particular states, but universally as an integral and essential element for the preservation of world peace and co-operation. Within that time, large numbers of international human rights conventions have been created and brought into force. Under the auspices of the UN, the Universal Declaration of Human Rights was proclaimed as well as the two implementing International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights. There followed the International Convention on Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Prevention and Punishment of the Crime of Genocide; and the Convention on the Status of Refugees as well as several others (see Annexure).

There have also been important developments in specific regions of the world, especially in Europe. There, the European Convention on Human Rights has built up

* This paper was distributed at the 1991 PILOM on 4 October 1991.

an established jurisprudence both in the European Court of Human Rights and the Commission in Strasbourg.

The purpose of the judicial colloquia of Bangalore, Harare and Banjul was to give consideration to the long term implications of these developments in public international law for the domestic law of countries within the Common Law system.

III THE COMMONWEALTH

Human rights issues have long been on the Commonwealth agenda. The Declaration of Commonwealth Principles made at the meeting of Heads of Government in Singapore in 1971 pledged to uphold certain basic principles, central among them the belief:

in the liberty of the individual, in equal rights for all citizens regardless of race, colour, creed or political belief, and in their inalienable right to participate by means of free and democratic political processes in framing the society in which they live.

It also expressed the Commonwealth's resolve to "oppose all forms of colonial domination and racial oppression and [declared its commitment] to the principles of human dignity and equality".

Similar Commonwealth declarations on racial equality, economic justice and peace were issued at Heads of Government meetings in Lusaka (1979) and Melbourne (1981). These declarations, together with the work of the Commonwealth in social and economic development and in combating apartheid, express committed belief in and support of the principles enshrined in the international human rights instruments.

Efforts have also been made to set up specific machinery to deal with human rights issues. In 1977 the Government of The Gambia proposed the establishment of a Commonwealth Human Rights Commission as a positive and concrete step towards the promotion and protection of human rights in line with the standards prescribed in the international instruments. At the Lusaka meeting of 1979 Commonwealth Heads of Government appointed a working party to examine and report on the proposal by The Gambia. The report produced was considered by Heads of Government at their meeting in Melbourne in 1981 and, after further consideration by Commonwealth Law Ministers in 1983, the decision was taken to establish the Human Rights Unit within the Commonwealth Secretariat in 1985. The Unit was to carry out such functions as might assist member states in the promotion of human rights, leaving for further study and deliberation the question of appropriate machinery for the protection of human rights. The Human Rights Unit now undertakes a wide range of activities to disseminate information, to give advice as required, and generally to enhance and promote human rights in all its aspects.

In 1989 at Kuala Lumpur, Heads of Government, having considered the work and role of the Commonwealth in human rights and how further improvements could be assured, called for a report from a working group of experts on possible avenues for enhanced co-operation and action in the future. In their report the working group was in

no doubt that human rights must remain a central tenet of Commonwealth co-operation in the 1990s and beyond; they urged that the Commonwealth must remain committed to the observance of all human rights; and pointed out that these human rights and fundamental freedoms, particularly as set out in the two International Covenants, are indivisible and interrelated. The group strongly recommended that:

the objectives of human rights promotion in the Commonwealth must be to increase knowledge of international human rights standards and obligations; to encourage and sustain high professional standards of judiciaries and law enforcement agencies; to reinforce the independence of judicial agencies; to promote the adherence to and implementation of international human rights instruments; and to generally facilitate the promotion of human rights.

Moves to put human rights squarely in the centre of Commonwealth affairs have been boosted by the creation in 1987, by five Commonwealth non-governmental organisations (the Commonwealth Journalists Association, the Commonwealth Trade Union Council, the Commonwealth Lawyers Association, the Commonwealth Legal Education Association and the Commonwealth Medical Association), of the Commonwealth Human Rights Initiative (CHRI). The Advisory Committee of CHRI released in June 1991 a report entitled *Put Our World to Rights: Towards a Commonwealth Human Rights Policy* for consideration by Heads of Government at their next meeting in Zimbabwe in October 1991. A central recommendation of the report is for the Commonwealth to adopt a Declaration of Principles on Human Rights. The Declaration, as recommended, should contain a commitment to the principal international instruments on human rights. It would require the member states to take steps to implement the provisions of these as well as national provisions on human rights. It would also establish an agenda for Commonwealth human rights activities, including education.

Serious and comprehensive education in human rights is clearly of the highest concern. It has been stressed by the working group of experts, and by CHRI - indeed, by others. The need to be informed, together with the lack of awareness of the provisions and operation of international standards, was uppermost in the decision to hold the first judicial colloquium in 1988. The reality, as generally acknowledged, is that until quite recently the legal training of most Commonwealth lawyers has neglected specific instruction in international human rights norms. Consequently, there is a general lack of awareness by educators of the legal profession, unavailability of relevant material and absence of resource institutions to advise lawyers and judges about international human rights norms and jurisprudence. There are, of course, exceptions. But, together, all this has led to a general lack of awareness of the relevance and utility of developing and applying human rights norms.

IV SOURCES OF HUMAN RIGHTS NORMS

There is a large corpus of norms fixed in the form of conventions, declarations and other instruments, global as well as regional, which have been adopted by the great majority of states through various fora. The list of such instruments is given in Annexure 1.

Some idea of the quasi-legislative activity, especially of the UN and the specialised agencies (ILO, in particular, but also others like UNESCO), may be gathered from both the number of instruments adopted in the last 40 years or so as well as the variety of particular aspects of human rights they deal with. The Universal Declaration of Human Rights (1948) and its two implementing International Covenants of 1966 on Civil and Political Rights (ICCPR) and on Economic, Social and Cultural Rights (ICESCR) cover what, at the time of their adoption, was considered to be the whole range of basic or fundamental rights which states agreed the individual should have. Together these three instruments have, of course, come to be known as the International Bill of Human Rights. They are of special global importance as sources for the statement and definition of human rights norms.

Regional instruments have equally been of importance in the development of human rights ideals. Europe, as the main theatre of the extremities of World War II, produced the first regional instrument in 1950. The European Convention was inspired and greatly influenced by the Universal Declaration of Human Rights. Although Europe chose to adopt at the time only the civil and political rights proclaimed in the Universal Declaration, it did a decade later (in 1961) adopt the European Social Charter which is the equivalent of the ICESCR.

The Inter-American Convention on Human Rights in 1969 covering the Americas and the Caribbean was the second regional instrument. It was also inspired by the United Nations instruments, as well as by the European Convention.

The most recent regional instrument is the African Charter on Human and Peoples' Rights which was adopted by the Organisation of African Unity (OAU) in 1981 and came into force in October 1986. Some two-thirds of the membership of OAU has ratified or acceded to the Charter, bringing up to 35 the number of participating states. The African Charter is the equivalent of the European Convention and the Inter-America Convention. However, unlike the European and American Conventions, the African Charter does not establish an interjurisdictional court to receive and determine complaints about derogations from the treaty. The Banjul Affirmation (referred to later in this paper) issued by the judicial colloquium last year leaned heavily in favour of an independent African Court of Human Rights like the European Court whose decisions would have binding force. Instead, an African Commission on Human and Peoples' Rights was established consisting of 11 members serving in rotation.

Asia-Pacific is the only region not yet covered by a charter on human rights.

V CONTENT OF HUMAN RIGHTS

As will be seen, there is a whole host of instruments and quite a number of rights. It is practical to look only at some of the principal instruments to determine the type and content of those rights that have been accepted and recognised under international practice. These instruments are listed in Annexure 1. The rights listed are mostly civil and political rights, being rights which states would normally be bound to implement within their legal systems. To a limited extent there is reference to economic, social and

cultural rights, such rights being generally regarded under international law as matters for progressive achievement and protection. Annexure 2 provides a table of the status of ratifications and adherence by countries which are members of the UN to selected international instruments.

VI THE BANGALORE PRINCIPLES

The judicial colloquium held in Bangalore, India, in February 1988 was convened by Mr Justice P N Bhagwati (former Chief Justice of India). In his role as chairperson he summed up the proceedings of the colloquium in a public statement known as the Bangalore Principles. After recounting the universal character of fundamental human rights and the guidance concerning their scope to be derived from international human rights instruments and jurisprudence, the statement concluded that there has been:

a growing tendency for national courts to have regard to these international norms for the purpose of deciding cases where the domestic law - whether constitutional, statute or common law - is uncertain or incomplete.

The statement welcomed this development and called for the norms contained in international human rights instruments to be more widely recognised, by the courts and by the legal profession. There then followed three paragraphs which are worth recording in full:

It is within the proper nature of the judicial process and well-established judicial functions for national courts to have regard to international obligations which a country undertakes - whether or not they have been incorporated into domestic law - for the purpose of removing ambiguity or uncertainty from national constitutions, legislation or common law.

However, where national law is clear and inconsistent with the international obligations of the state concerned, in common law countries the national court is obliged to give effect to national law. In such cases the court should draw such inconsistency to the attention of the appropriate authorities since the supremacy of national law in no way mitigates a breach of an international legal obligation which is undertaken by a country.

It is essential to redress a situation where, by reason of traditional legal training which has tended to ignore the international dimension, judges and practising lawyers are often unaware of the remarkable and comprehensive developments of statements of international human rights norms. For the practical implementation of these views it is desirable to make provision for appropriate courses in universities and colleges, and for lawyers and law enforcement officials; provision in libraries of relevant materials; promotion of expert advisory bodies knowledgeable about developments in this field; better dissemination of information to judges, lawyers and law enforcement officials; and meetings for exchanges of relevant information and experience.

VII THE HARARE DECLARATION

The second judicial colloquium to consider the domestic application of international human rights norms took place in Harare, Zimbabwe, in April 1989. It gathered together most of the Chief Justices of the Commonwealth countries in Africa.

The principal proposal of this colloquium was for the preparation of a handbook for Commonwealth judges and lawyers. This would include the principal international instruments together with handy references to the leading cases on the various basic rights referred to in those instruments. The preparation of such a volume would, it is hoped, translate the growing body of international human rights law from fine sentiments in international treaties to an influential stimulus to the decision-making of judges and the work of lawyers. International human rights law is not thereby incorporated into domestic law, contrary to established authority. It simply becomes one of the resources by which lawyers and judges perform their daily functions of interpreting ambiguous statutes and filling gaps in the common law where these are shown to exist. Support for this approach, which is now perfectly normal in England and other countries, was expressed by all participants. The general conclusions of the colloquium were issued in a public document which has become known as the Harare Declaration of Human Rights.

VIII THE BANJUL AFFIRMATION

The next colloquium met in Banjul, The Gambia, in November 1990. This colloquium was seen as having the particular objective of affording Commonwealth judges of the West Africa region the opportunity to study the domestic application of international human rights norms to constitutional and administrative law. Participants explored very practical issues in order to carry forward the Bangalore Principles and the Harare Declaration, both of which they accepted in their entirety. They therefore styled the declaration of their meeting the Banjul Affirmation.

The Affirmation is especially notable for its practical emphasis on several matters of both principle and procedure vital to the judiciary as well to the legal profession in upholding the rule of law. Its main elements are:

- human rights should be included in legal education, in professional teaching and other training activities, and there should be wide and popular dissemination of information about human rights and freedoms;
- there should be complete judicial independence as well as complete independence of the legal profession;
- there should be closer links and co-operation across national frontiers by the judiciary on the interpretation and application of human rights law;
- it is essential to have real and effective access to the ordinary courts for the determination of criminal charges and civil rights and obligations by due process of law;

- it is important to adopt a generous approach to the matter of legal standing in public law cases, while ensuring that the courts are not overwhelmed with hopeless cases;
- national laws should enable non-government organisations and expert advocates to provide specialist legal advice, assistance and representation in important cases of public interest;
- it is essential for the exceptions and derogations contained in the African Charter to be strictly construed;

The participants also expressed their belief that the time may have come for the establishment of an independent African Court of Human Rights similar to the European Court of Human Rights whose decisions would be binding.

IX THE ISSUES

All papers presented at the judicial colloquia held to date have been published by the Commonwealth Secretariat in three volumes under the title *Developing Human Rights Jurisprudence: The Domestic Application of International Human Rights Norms*. A whole range of issues has been examined by judges and lawyers from around the Commonwealth. No attempt can realistically be made in this paper to deal with those issues in any detail, except to give a brief description by way of offering some idea of the scope and content of the discussions.

The question of incorporation of international principles into domestic law has been given particular attention. The situation of a federal jurisdiction is especially relevant because it is considered that, unless specifically incorporated by a valid federal law, international rules (whether of treaties or of customary law) are not, as such, part of the domestic law. Under English law, on the other hand, (because of its co-existence with the jurisprudence of the European Court of Human Rights since 1952 and with laws developed under the Treaty of Rome) courts are continually referring to international treaties ratified by the government as a source of guidance in constitutional and statutory construction and in the development of the principles of the common law. Strong arguments have been presented to the courts that such treaties as the European Convention on Human Rights are part of English domestic law and therefore of prevailing authority. One such recent attempt was made to the House of Lords in *R v Secretary of State for the Home Department, Ex parte Brind*¹ where, significantly, the proceedings of the judicial colloquia in Bangalore and Harare were cited in support. Dismissing the appeal in *Brind*, the House of Lords held that the European Convention is not part of English domestic law and that, although the presumption that Parliament had intended to legislate in conformity with it might be resorted to in order to resolve ambiguity or uncertainty in a statutory provision, there was no such ambiguity or

¹ [1991] 1 AC 696.

uncertainty in the wording of section 29(3) of the Broadcasting Act 1981 (UK) that was in question.

The work of the important Human Rights Committee of the United Nations has also been discussed. The Committee, established under the ICCPR (to which many Commonwealth countries are parties), has a large jurisdiction in reviewing national reports on human rights issues and compliance with international obligations. In the case of countries which have accepted the Optional Protocol to the ICCPR, the Committee also receives individual complaints.

The question of personal liberty has been high on the agenda, too. The discussions have focussed on the way judges could respond, consistently with human rights law, to state challenges to personal liberty of subjects who appeal to the courts for protection. The role of the judge in advancing human rights has also been examined in all aspects, including the theoretical and practical arguments for and against judicial "activism" in promoting human rights, particularly by reference to norms established by international law.

The African Charter, aspects of which are referred to above, has been the subject of a number of discussion papers. Judges have also been interested in the experience and judgments of individual states, where, by a pro-active approach and by the use of special techniques (like the procedures allowing for public interest litigation in India), the judiciary can play an active role in establishing and realising human rights norms in domestic jurisdictions.

Many of the above questions raise difficult and substantive issues of policy and law. It has been recognised, however, that issues of procedures and proceedings are perhaps of even greater fundamental importance to ensure that human rights complaints are properly brought before the courts and other tribunals and dealt with speedily and competently. The next judicial colloquium in Abuja, Nigeria, in December 1991 will thus give special consideration to all aspects of human rights procedures and proceedings.

Clearly these are matters of the greatest importance and complexity; and the judges were ready to acknowledge that the work they have been able to do so far in the judicial colloquia represent only three steps in a long journey.

ANNEXURE 1

LIST OF INSTRUMENTS
IN CHRONOLOGICAL ORDER OF ADOPTION

<i>Date of Adoption</i>	<i>Instrument</i>	
1926	25 September	Slavery Convention
1930	28 June	Forced Labour Convention
1948	9 July	Freedom of Association and Protection of the Right to Organise Convention
	9 December	Convention on the Prevention and Punishment of the Crime of Genocide
	10 December	Universal Declaration of Human Rights
1949	1 July	Right to Organise and Collective Bargaining Convention
	2 December	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
1950	14 December	Statute of the Office of the UN High Commissioner for Refugees
1951	29 June	Equal Remuneration Convention
	28 July	Convention Relating to the Status of Refugees
1952	16 December	Convention on the International Right of Correction
	20 December	Convention on the Political Rights of Women
1953	23 October	Protocol amending the Slavery Convention signed at Geneva on 25 September 1926
1954	28 September	Convention relating to the Status of Stateless Persons
1955	30 August	Standard Minimum Rules for the Treatment of Prisoners
1956	7 September	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery
1957	29 January	Convention on the Nationality of Married Women
	25 June	Abolition of Forced Labour Convention
1958	25 June	Discrimination (Employment and Occupation) Convention
1959	20 November	Declaration of the Rights of the Child
1960	14 December	Convention against Discrimination in Education
	14 December	Declaration on the Granting of Independence to Colonial Countries and peoples
1961	30 August	Convention on the Reduction of Statelessness
1962	7 November	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages
	10 December	Protocol Instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education
	14 December	General Assembly Resolution 1803 (XVII) on "Permanent sovereignty over natural resources"
1963	20 November	UN Declaration on the Elimination of All Forms of Racial Discrimination
1964	9 July	Employment Policy Convention
1965	1 November	Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

	7 December	Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples
	21 December	International Convention on the Elimination of All Forms of Racial Discrimination
1966	4 November	Declaration of the Principles of International Cultural Co-operation
	16 December	International Covenant on Economic, Social and Cultural Rights
	16 December	International Covenant on Civil and Political Rights
	16 December	Optional Protocol to the International Covenant on Civil and Political Rights
	16 December	Protocol relating to the Status of Refugees
1967	7 November	Declaration on the Elimination of All Forms of Discrimination against Women
	14 December	Declaration on Territorial Asylum
1968	13 May	Proclamation of Teheran
	26 November	Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
1969	11 December	Declaration on Social Progress and Development
1971	23 June	Workers' Representatives Convention
	20 December	Declaration on the Rights of Mentally Retarded Persons
1973	30 November	International Convention on the Suppression and Punishment of the Crime of Apartheid
	3 December	Principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity
1974	16 November	Universal Declaration on the Eradication of Hunger and Malnutrition
	14 December	Declaration on the Protection of Women and Children in Emergency and Armed Conflict
1975	9 December	Declaration on the Rights of Disabled Persons
	9 December	Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
	10 December	Declaration on the use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind
1977	16 December	Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms
1978	27 November	Declaration on Race and Racial Prejudice
	28 November	Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War
	15 December	Declaration on the Preparation of Societies for Life in Peace
1979	17 December	Code of Conduct for Law Enforcement Officials
	18 December	Convention on the Elimination of All Forms of Discrimination against Women
1980	25 October	Hague Convention on the Civil Aspects of International Child Abduction. Concluded 25 October 1980, entered into force on 1 December 1983.

1981	25 November	Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief
1982	3 December	Declaration on the Participation of Women in Promoting International Peace and Co-operation
	18 December	Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
1984	25 May	Safeguards guaranteeing protection of the rights of those facing the death penalty.
	12 November	Declaration on the Right of Peoples to Peace
	10 December	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
1985	29 November	UN Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")
	29 November	Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
	29 November	Basic Principles on the Independence of the Judiciary
	10 December	International Convention against Apartheid in Sports
	13 December	Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live
1986	3 December	Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally
	4 December	Declaration on the Right to Development
1988	25 October	Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery 1956
1989	28 June	Indigenous and Tribal Peoples Convention (ILO New Convention No 169)
	20 November	UN Convention on the Rights of the Child, adopted on 20 November 1989, entered into force on 2 September 1990
1990	30 September	World Declaration on the Survival, Protection and Development of Children

ANNEXURE 2

STATUS OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS AS AT 1 MARCH 1990

KEY TO TABLE

1	International Covenant on Economic, Social and Cultural Rights	18	Slavery Convention of 1926 as amended
2	International Covenant on Civil and Political Rights	19	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery
3	Optional Protocol to the International Covenant on Civil and Political Rights	20	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
4	Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty	21	Convention on the Reduction of Statelessness
5	International Convention on the Elimination of All Forms of Racial Discrimination	22	Convention relating to the Status of Stateless Persons
6	International Convention on the Suppression and Punishment of the Crime of Apartheid	23	Convention relating to the Status of Refugees
7	International Convention against Apartheid in Sports	24	Protocol relating to the Status of Refugees
8	Convention on the Prevention and Punishment of the Crime of Genocide	x	Ratification, accession, approval, notification of accession, acceptance or definitive signature
9	Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity	s	Signature not yet followed by ratification
10	Convention on the Rights of the Child	a	Declaration recognising the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights
11	Convention on the Elimination of All Forms of Discrimination against Women	b	Declaration recognising the competence of the Committee on the Elimination of Racial Discrimination under the International Convention on the Elimination of All Forms of Racial Discrimination
12	Convention on the Political Rights of Women	c	All Forms of Racial Discrimination
13	Convention on the Nationality of Married Women		Declarations recognising the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
14	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	d	Declaration under article 21 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment only
15	Conventions against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		
16	Slavery Convention of 1926		
17	1953 Protocol amending the 1926 Convention		

	<i>International Human Rights Instruments</i>																							
<i>States</i>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Afghanistan	X	X			X	X		X	X	S	X	X		X	X	X	X	X	X					
Albania					X	X		X	X	S	X	X				S		X	X	X				
Algeria	X	xa	X		xb	X	X	X		S	X			Xc			X	X	X	X	X		X	X
Angola											X													
Antigua and Barbuda						X	X	X			X	X	X			X	X	X	X		X		X	X
Argentina	X	xa	X		X	X		X			X	X	X	Xc					X	X		X	X	X
Australia	X	X			X	X		X			X	X	X			X	X	X	X	X		X	X	X
Austria	X	xa	X		X	X		X		S	X	X	X	Xc		X	X	X	X	X	X		X	X
Bahamas					X	X	X	X			X	X	X			X	X	X	X					
Bahrain																								
Bangladesh					X	X			S	X	X	X				X	X	X	X	X				
Barbados	X	X	X		X	X	X	X			X	X	X			X	X	X	X		X			
Belgium	X	xa			X	X		X	S	X	X	S	S			X	X	X	X	X	X	X	X	X
Belize														X										
Benin					S	X	S				S	X	X			X							X	X
Bhutan					S					X														
Bolivia	X	X	X			X	X	S	X	S	X	X		S		X	X	X	X	X	X	X	X	X
Botswana					X																			
Brazil					X			X		S	X	X	X	X	X		X	X	X	X		S	X	X
Brunei Darussalam																								
Bulgaria	X	X			X	X	X	X	X		X	X		X		X		X	X	X				
Burkina Faso					X	X	X	X	S		X	X	X			X		X	X	X				
Burma - see Myanmar																								
Burundi					X	X	S				S													
Byelorussian SSR	X	X			X	X	X	X	X	S	X	X	X	X	X		X	X	X	X			X	X
Cameroon	X	X	X		X	X	S		X	S	X		X	X	X	X	X	X	X	X			X	X

States	<i>International Human Rights Instruments</i>																							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Trinidad and Tobago	x	x	x		x	x	s			x	x	x	x				x	x			x			
Tunisia	x	x			x	x	x	x	s		x	x	x	x	xc			x	x			x		
Turkey					s			x		x	x				xc	x	x	x						
Tuvalu																								
Uganda	x				x	x	x			x		x			x		x	x		x				
Ukrainian SSR	x	x			x	x	x	x	s		x	x			x		x	x		x				
Union of Soviet Socialist Republics	x	x			x	x	x	x	s		x	x			x		x	x		x				
United Arab Emirates					x																			
United Kingdom of Great Britain and Northern Ireland	x	xa			x			x			x			x	xd	x	x	x		x				
United Republic of Tanzania	x	x			x	x	x	x			x	x					x	x						
United States of America	s	s			s		x	x			s	x		s	s	x	x	x						
Uruguay	x	x	x	s	xb		x	x			s	s	s		xc	s								
Vanuatu																								
Venezuela	x	x	x		x	x	x	x			x	x		x	s					x				
Vietnam	x	x		x	x	x	x	x	x															
Yemen																								
Yugoslavia	x	x			x	x	x	x	s		x	x	x	x	s	x	x	x		x				
Zaire	x	x	x		x	x	s	x			x	x												
Zambia	x	x	x		x	x	x				x	x	x											
Zimbabwe																								
Total number of States Parties	95	90	49	1	129	88	45	102	31	2	102	97	57	36	51	69	57	87	105	60	15	36	102	103
Signatures not followed by ratification	5	5	4	12	6	4	33	3	1	66	16	4	8	8	22	6	0	0	3	5	3	8	0	0

