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The year 2026 is an anniversary year: the Kazan University Law Review marks its tenth anniversary, the two International Covenants on Human Rights mark their sixtieth anniversary, and the Declaration on the Right to Development marks its fortieth anniversary.

I congratulate the editorial team of the Kazan University Law Review on the journal's tenth anniversary and express my admiration for their dedicated scholarly work, which, within a relatively short period of time, has enabled the journal to become so highly regarded in the academic community that legal scholars across the country aspire to publish in it. The Kazan University Law Review is distinguished by its meticulous approach to selecting the subject matter of the materials it publishes: they address pressing legal issues, many of which are grounded in interdisciplinary analysis and take into account the latest achievements and innovations in legal scholarship.

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Special mention should be made of the editorial board's commitment to ensuring clear academic English and a high stylistic standard in the journal's publications.

The Department of International Law of RUDN University and its academic staff — both eminent scholars and young lecturers and postgraduate students, many of whom are foreign nationals — have actively supported, and will continue to support, the Kazan University Law Review by submitting their scholarly research for publication therein. The Law Institute of RUDN University named after Patrice Lumumba likewise expresses its intention to actively support the journal and, taking this opportunity, wishes it continued academic growth and greater international recognition.

THE ANNIVERSARY OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

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Abstract. *This article is devoted to the sixtieth anniversary of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as the components of the International Bill of Human Rights. The study examines the historical and legal development of the Bill from the human rights provisions of the Universal Declaration of Human Rights to the adoption of the two Covenants and their Optional Protocols. Particular attention is paid to the institutional consequences of this process, including the establishment and functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights as treaty bodies entrusted with international control over the implementation of the Covenants. The article argues that the special status of the two Covenants requires their preservation as the normative core of the universal human rights system. The author critically assesses contemporary tendencies that may weaken this system, including the redistribution of institutional authority from ECOSOC to other UN human rights mechanisms, the expansion of special procedures, attempts to merge treaty bodies into a single supervisory mechanism, and proposals to include the draft Convention on the Right to Development in the International Bill of Human Rights. The article concludes that the International Bill of Human Rights must be protected from institutional dilution and normative substitution.*

Keywords: *human rights; International Bill of Human Rights; International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Universal Declaration of Human Rights, UN Charter, treaty bodies, Human Rights Committee, Committee on Economic, Social and Cultural Rights.*

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In this celebratory spirit, we would nevertheless like to offer an objective assessment of the situation surrounding the two International Covenants on Human Rights — the International Covenant on Civil and Political Rights (hereinafter — ICCPR) and the International Covenant on Economic, Social and Cultural Rights (hereinafter — ICESCR) — together with their Optional Protocols, which, alongside the Universal Declaration of Human Rights (hereinafter — UDHR), constitute the International Bill of Human Rights. Unfortunately, the International Bill of Human Rights, which marked the beginning of international law-making in the field of human rights protection at the universal level, is often not referred to by the very structures of the United Nations system that owe their existence to it: the Office of the United Nations High Commissioner for Human Rights, the United Nations Human Rights Council, and the system of human rights treaty bodies. At the same time, as international treaties, these two International Covenants on Human Rights occupy an important place in the hierarchy of normative sources of the universal system for the protection of human rights.

First and foremost, in this regard it should be recalled that the Charter of the United Nations — the constituent instrument of an organization vested with universal competence in the maintenance of international peace and security — refers to human rights both in its Preamble and among the purposes pursued by the United Nations and its Member States. Thus, the Preamble to the Charter of the United Nations proclaims the determination “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...”¹ Among the purposes of the United Nations, Article 1(3) of the Charter provides for the task “to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for

¹ Preamble, Charter of the United Nations, San Francisco, 26 June 1945 // URL: <https://www.un.org/en/about-us/un-charter> (accessed: 05.05.2026).

human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion”.¹

In order to understand the significance of international cooperation among States in matters concerning the promotion and protection of human rights and freedoms, Article 55(c) of the Charter of the United Nations should be quoted: “With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: ... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”. Pursuant to Article 56 of the Charter, all Members of the United Nations “pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55”.²

It should also be recalled that, at the San Francisco Conference at which the Charter of the United Nations was drafted, a proposal was made to incorporate a declaration of fundamental human rights into the Charter. That proposal, however, was not considered, as it required more thorough examination and sufficient time for such consideration.

The United Nations Preparatory Commission, which met immediately after the conclusion of the San Francisco Conference, instructed the United Nations Economic and Social Council (hereinafter — ECOSOC) to establish the Commission on Human Rights pursuant to Article 68³ of the Charter of the United Nations and to entrust it with the preparation of a declaration of fundamental human rights on the basis of a draft to be proposed by the United Nations General Assembly (hereinafter — UNGA).⁴

In 1946, at its first session, the United Nations General Assembly considered the draft declaration of fundamental human rights and transmitted the draft text to ECOSOC “for reference to the Commission on Human Rights for consideration in its preparation of an international bill of rights”.⁵ In early 1947, at its first session, the

¹ Art. 1, Charter of the United Nations, San Francisco, 26 June 1945 // URL: <https://www.un.org/en/about-us/un-charter> (accessed: 05.05.2026).

² Art. 56, Charter of the United Nations, San Francisco, 26 June 1945 // URL: <https://www.un.org/en/about-us/un-charter> (accessed: 05.05.2026).

³ Art. 68 of the UN Charter authorizes the Economic and Social Council to establish commissions in economic and social fields and for the promotion of human rights.

⁴ Resolution adopted by ECOSOC on the establishment of a Commission on Human Rights with a Sub-Commission on the Status of Women (E/RES/5(II)), 16 February 1946 // URL: <https://digitallibrary.un.org/record/198575> (accessed: 05.05.2026).

⁵ UNGA Resolution “Draft Declaration on Fundamental Human Rights and Freedoms” (A/RES/43(II)), 11 December 1946 // URL: [https://docs.un.org/en/A/RES/43\(II\)](https://docs.un.org/en/A/RES/43(II)) (accessed: 05.05.2026).

Commission on Human Rights instructed its officers to prepare what it described as a “preliminary draft International Bill of Human Rights”.¹

As can be seen, first the United Nations General Assembly, and subsequently the Commission on Human Rights itself, referred in their resolutions to the preparation of a draft “International Bill of Human Rights”.

Work on the draft International Bill of Human Rights within the Commission was carried out by its Drafting Committee, which was composed of members of the Commission from eight United Nations Member States, selected with due regard to the principle of geographical representation, and chaired by Mrs. E. Roosevelt.²

Various views were initially expressed with regard to the form of the International Bill of Human Rights. Subsequently, the Drafting Committee decided to prepare two documents: one in the form of a declaration, setting out general principles and norms concerning human rights; and the other in the form of a convention, defining specific human rights and freedoms, as well as the limitations on their exercise. At its session in December 1947, the Commission on Human Rights decided that the term “International Bill of Human Rights” should refer to all the instruments under preparation, and established three working groups to draft, respectively, the declaration, the convention — which was later renamed a “covenant” — and measures for their implementation.

The first instrument of the International Bill of Human Rights, the Universal Declaration of Human Rights, was adopted by the United Nations General Assembly in its resolution 217 A (III) of 10 December 1948, at its session held in Paris.³

The Universal Declaration of Human Rights (hereinafter — UDHR), consisting of a Preamble and thirty articles, enshrined all fundamental human rights and freedoms: civil or personal and political rights, in Articles 3–21, and economic, social and cultural rights, in Articles 22–27. Attention should also be drawn to Articles 28 and 29, pursuant to which everyone is entitled “to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”⁴ and has “duties to the community in which alone the free and full development of his personality is possible”.⁵

¹ Universal Declaration of Human Rights: History of the Declaration. [Electronic source] // UN Website. URL: <https://www.un.org/en/about-us/udhr/history-of-the-declaration> (accessed: 06.05.2026).

² Universal Declaration of Human Rights: History of the Declaration. [Electronic source] // UN Website. URL: <https://www.un.org/en/about-us/udhr/history-of-the-declaration> (accessed: 06.05.2026).

³ UNGA Resolution “Universal Declaration of Human Rights” (217 A (III)), 10 December 1948 // URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed: 06.05.2026).

⁴ Art. 28, Universal Declaration of Human Rights, 10 December 1948 // URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed: 06.05.2026).

⁵ Art. 29, Universal Declaration of Human Rights, 10 December 1948 // URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed: 06.05.2026).

Attention should also be drawn to the warning reflected in the Preamble to the UDHR, according to which “a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge” to promote universal respect for, and observance of, human rights and fundamental freedoms.¹

The Commission on Human Rights and its Drafting Committee, chaired by E. Roosevelt, withstood pressure from the United States Department of State, which, as Western scholars have noted, sought to exclude provisions on economic and social human rights from the text of the UDHR.

On the day of the adoption of the UDHR, the General Assembly requested the Commission on Human Rights to prepare, as a matter of priority, a draft International Covenant on Human Rights and draft measures of implementation. Later, in 1950, the United Nations General Assembly declared that “the enjoyment of civil and political freedoms and of economic, social and cultural rights are interconnected and interdependent”.²

However, the United States Department of State ultimately achieved its objective: at its sixth session, held in 1951–1952, the United Nations General Assembly instructed the Commission on Human Rights to draft two covenants on human rights, “one to contain civil and political rights and the other to contain economic, social and cultural rights”.³

Under these circumstances, owing to the efforts of Soviet diplomacy, it was decided that both International Covenants on Human Rights would be adopted by means of a single resolution of the United Nations General Assembly. This is precisely what occurred: the texts of the ICCPR and the ICESCR were adopted by General Assembly resolution 2200 A (XXI) of 16 December 1966.⁴ The same resolution also adopted the First Optional Protocol to the ICCPR, which provides for the establishment of an international mechanism for the consideration of communications from individuals who claim to be victims of violations of any

¹ Preamble, Universal Declaration of Human Rights, 10 December 1948 // URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed: 06.05.2026).

² Section E, UNGA Resolution “Draft International Covenant on Human Rights and Measures of Implementation: Future Work of the Commission on Human Rights” (421 (V)), 4 December 1950 // URL: [https://docs.un.org/en/A/RES/421\(V\)](https://docs.un.org/en/A/RES/421(V)) (accessed: 06.05.2026).

³ See: *Abashidze A. Kh.* Legal Nature of the Obligations of States Parties to the International Covenants on Human Rights // *RUDN Journal of Law*. 2009. №5. URL: <https://cyberleninka.ru/article/n/yuridicheskiy-harakter-obyazatelstv-gosudarstv-uchastnikov-mezhdunarodnyh-paktov-o-pravah-cheloveka> (accessed: 19.05.2026). (in Russ.).

⁴ UNGA Resolution “International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and Optional Protocol to the International Covenant on Civil and Political Rights” (2200 A (XXI)), 16 December 1966 // URL: [https://docs.un.org/en/A/RES/2200\(XXI\)](https://docs.un.org/en/A/RES/2200(XXI)) (accessed: 06.05.2026).

of the rights set forth in the ICCPR.¹ It should also be emphasized here that the Second Optional Protocol to the ICCPR, aimed at the abolition of the death penalty, was adopted twenty-three years later by General Assembly resolution 44/128 of 15 December 1989.²

Both International Covenants on Human Rights entered into force ten years after their adoption. Beginning in 1977, the Human Rights Committee (hereinafter — HRC), as the international monitoring body under the ICCPR, commenced its work in considering initial and periodic reports submitted by States parties to the ICCPR, as well as individual complaints, or communications, brought against States parties to the First Optional Protocol to the ICCPR.

As regards the ICESCR, although it entered into force in the same year, 1976, together with the ICCPR, it provided for an entirely different procedure. Pursuant to Article 16 of the ICESCR, the Secretary-General of the United Nations was to receive and subsequently transmit to ECOSOC, for consideration, reports by States parties to the ICESCR on the measures they had adopted and the progress made in achieving observance of the rights recognized therein. It was only twenty years after the adoption of the ICESCR that ECOSOC established a body entrusted with exercising international supervision over the implementation by States parties of their obligations under the ICESCR: the Committee on Economic, Social and Cultural Rights (hereinafter — CESCR).³ Initially, the CESCR was composed of representatives of States parties to the ICESCR; subsequently, it came to be constituted of eighteen independent experts, by analogy with the HRC, elected by ECOSOC with due regard to the principle of equitable geographical representation. At first, however, the CESCR merely considered reports submitted by States parties to the ICESCR.⁴ Only in 2013, on the basis of the Optional Protocol to the ICESCR,⁵ did it begin to receive and consider individual communications, or complaints.

¹ Art. 1, Optional Protocol to the International Covenant on Civil and Political Rights, 16 December 1966 // URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-international-covenant-civil-and-political> (accessed: 06.05.2026).

² Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, 15 December 1989 // URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/second-optional-protocol-international-covenant-civil-and-political> (accessed: 06.05.2026).

³ Review of the composition, organization and administrative arrangements of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights (E/1985/INF/4), 28 May 1985. [Electronic source] // URL: <https://digitallibrary.un.org/record/100079?ln=ru&v=pdf> (accessed: 06.05.2026).

⁴ See: *Abashidze A. Kh. The Committee on Economic, Social, and Cultural Rights* / ed. by Z. R. Al Hussein and J. Genser / *The Oxford Handbook of the UN Human Rights System* // Oxford University Press. 2026.

⁵ Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, 10 December 2008 // URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-international-covenant-economic-social-and-cultural-rights> (accessed: 06.05.2026).

Such was the long and arduous path, spanning the period from 1948 to 2013, by which the International Bill of Human Rights was ultimately completed.

The two International Covenants on Human Rights, whose sixtieth anniversary will be marked in 2026, are included in the list of “core international human rights treaties”, on the basis of which nine Committees and one Subcommittee operate, together forming the system of “human rights treaty bodies”. However, the ICCPR and the ICESCR differ from the other “core” international human rights treaties in that, together with the UDHR, they constitute the International Bill of Human Rights. This status entails significant responsibility.

For example, within the framework of the Universal Periodic Review (hereinafter — UPR)¹ all United Nations Member States, without exception, report on their observance of the UDHR. This thereby closes the gap that arises where a particular United Nations Member State is not a party to the ICESCR (such as the United States)² or to the ICCPR (such as the People’s Republic of China).³ Another example may be given. Where a complaint is submitted by nationals of a United Nations Member State to the Working Group on Arbitrary Detention, and the State concerned is not a party to the ICCPR — Article 9 of which prohibits arbitrary arrest and detention — the Working Group applies Article 9 of the UDHR to that State, pursuant to which “no one shall be subjected to arbitrary arrest, detention or exile”.⁴ In the practice of the author of this article, who served as a member of the Working Group on Arbitrary Detention from 2007 to 2010, there was no instance of any United Nations Member State objecting to the Working Group’s application of Article 9 of the UDHR in place of Article 9 of the ICCPR.

In the outcome document of the World Conference on Human Rights, held in Vienna in 1993 — the Vienna Declaration and Programme of Action — which addresses the strengthening of the normative and institutional foundations of the universal human rights system, as well as its financial support, we observe the reverse process: its weakening through concrete measures. Instead of strengthening

¹ The Universal Periodic Review (UPR) is a mechanism of the United Nations Human Rights Council under which the fulfilment by all UN Member States of their human rights obligations and commitments is reviewed on a regular basis. The review cycle lasts four and a half years and covers all UN Member States. The Working Group holds three two-week sessions per year, or fourteen sessions during the entire cycle. See: Human Rights Council: Universal Periodic Review // [Electronic source]. Official website of the OHCHR. URL: <https://www.ohchr.org/en/hr-bodies/upr/cycles-upr> (accessed: 07.05.2026).

² Status of the International Covenant on Economic, Social and Cultural Rights. [Electronic source] // UN Treaty Collection. URL: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&clang=_en (accessed: 07.05.2026).

³ Status of the International Covenant on Civil and Political Rights. [Electronic source] // UN Treaty Collection. URL: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en (accessed: 07.05.2026).

⁴ Art. 9, Universal Declaration of Human Rights, 10 December 1948 // URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed: 07.05.2026).

international cooperation in the economic, social and humanitarian fields — which also encompass human rights — in accordance with Chapter IX of the Charter of the United Nations, and instead of enhancing the capacity of ECOSOC as the organ responsible, under Chapter X of the Charter, for cooperation among States in the field of human rights, the following occurred: the United Nations Centre for Human Rights, which had been responsible for United Nations activities in the field of human rights and operated under the authority of ECOSOC, was abolished and replaced by the single office of the United Nations High Commissioner for Human Rights, appointed by the United Nations Secretary-General and having the status of the Secretary-General's deputy for human rights matters.¹ A part of the United Nations Secretariat was placed under the authority of the High Commissioner and received official status as the Office of the United Nations High Commissioner for Human Rights (hereinafter — OHCHR).² Against the background of financial constraints within the United Nations system, the independent system of human rights treaty bodies, including the HRC and the CESCR, has been deprived of the possibility of holding sessions of adequate duration necessary to ensure their effective functioning, since the lion's share of funds allocated from the United Nations budget is directed towards “strengthening OHCHR”. At the same time, a substantial amount of the extrabudgetary funds of the United Nations High Commissioner for Human Rights is used at the High Commissioner's personal discretion.

The weakening of ECOSOC's Charter-based powers in the field of human rights took place under the slogans of “strengthening” and “reform”, through the mechanical replacement of the United Nations Commission on Human Rights, which had been subordinated to ECOSOC, with the United Nations Human Rights Council, operating under the authority of the General Assembly. At the same time, the “new” UPR mechanism introduced within the Human Rights Council is nothing other than an “Oriental bazaar”, in which some States accuse others of human rights violations, while the outcomes of the UPR are subject only to voluntary acceptance by the States under review.

The Vienna Declaration and Programme of Action also refers to the elimination of duplication in the activities of United Nations human rights structures;³ in practice, however, what has occurred is the borrowing by the United Nations

¹ Para. 2(c), UNGA Resolution “High Commissioner for the Promotion and Protection of All Human Rights” (A/RES/48/141), 20 December 1993 // URL: <https://docs.un.org/en/A/RES/48/141> (accessed: 07.05.2026).

² Para. 6, UNGA Resolution “High Commissioner for the Promotion and Protection of All Human Rights” (A/RES/48/141), 20 December 1993 // URL: <https://docs.un.org/en/A/RES/48/141> (accessed: 07.05.2026).

³ Para. 1, Section II(A), Vienna Declaration and Programme of Action, 25 June 1993 // URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action> (accessed: 07.05.2026).

Human Rights Council of the practice of the former United Nations Commission on Human Rights in establishing special procedures — both thematic and country-specific — which duplicate the areas of activity of the human rights treaty bodies.¹ For example, in respect of matters falling within the competence of the HRC and the CESCR, approximately twenty special rapporteurs, working groups and independent experts have been established and are currently operating, whose “contribution” to the human rights field consists in the submission of reports at the level of a master’s thesis on issues of international law.

One former United Nations High Commissioner for Human Rights, a representative of the West, put forward a proposal to dismantle the system of human rights treaty bodies by merging them into a single international monitoring body.² Fortunately, that proposal was not implemented, owing to the lack of support from the majority of United Nations Member States. Instead, an intergovernmental dialogue was launched on the basis of United Nations General Assembly resolution 68/268, entitled “Strengthening and enhancing the effective functioning of the human rights treaty body system”.³

However, even in that resolution, under the pretext of “strengthening”, ECOSOC was “recommended” to consider the possibility of replacing the existing procedure for the election of CESCR experts. In other words, this reveals an intention to deprive ECOSOC of the right to determine the composition of the CESCR.

Contrary to the appeal contained in the Vienna Declaration and Programme of Action not to create unjustified human rights structures or new human rights treaties, resolution 68/268 contains, in numerous places, provisions aimed at strengthening a non-conventional and informal body in the form of the “annual meeting of the Chairs of the human rights treaty bodies”. Through this mechanism, OHCHR openly and unlawfully imposes upon independent treaty bodies the adoption of such illegitimate documents as the “Guidelines on the independence and impartiality of members of the human rights treaty bodies”, adopted in Addis Ababa on 25–29 June 2012.

Attempts to destroy the system of human rights treaty bodies continue to this day on the part of OHCHR and the Western Powers. These attempts have

¹ Special Procedures of the Human Rights Council: Thematic Mandates. [Electronic source] // OHCHR website. URL: <https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?Type=TM&lang=en> (accessed: 06.05.2026).

² See: *Abashidze A. Kh., Koneva A. E.* Strengthening the Human Rights Treaty Body System // *Moscow Journal of International Law*. 2013. No. 4. P. 21–37. URL: <https://www.mjil.ru/jour/article/view/422>. (in Russ.); Report of the Secretariat. Concept Paper on the High Commissioner’s Proposal for a Unified Standing Treaty Body (HRI/MC/2006/2), 22 March 2006 // URL: https://digitallibrary.un.org/record/571491/files/HRI_MC_2006_2-EN.pdf.

³ UNGA Resolution “Strengthening and Enhancing the Effective Functioning of the Human Rights Treaty Body System” (A/RES/68/268), 9 April 2014 // URL: <https://docs.un.org/en/A/RES/68/268> (accessed: 06.05.2026).

now assumed a more covert character. The following circumstance may serve as an example.

With the active support of OHCHR, a draft Convention on the Right to Development has emerged, which was submitted for approval by the United Nations General Assembly together with an additional proposal to accord it the status of a component part of the International Bill of Human Rights. In practice, this means that the right to development would be recognized, at the level of a convention, as a human right alongside the fundamental human rights enshrined in the UDHR and the two International Covenants on Human Rights. Upon examining the definition and content of the “human right to development”, one may assume that, in the future, it could “absorb” all the rights enshrined in the UDHR and the two International Covenants on Human Rights, with the result that a single international monitoring body on the right to development would remain in place of the existing treaty body system.

The question is: what may be said to the two Covenants on their anniversary — the ICCPR and the ICESCR — in light of all the foregoing?

Hands off the International Bill of Human Rights!

References

Abashidze A. Kh. Legal Nature of the Obligations of States Parties to the International Covenants on Human Rights // RUDN Journal of Law, No. 5, 2009. (In Russian)

Abashidze A. Kh. The Committee on Economic, Social, and Cultural Rights // The Oxford Handbook of the UN Human Rights System, Oxford University Press, 2026. (In English)

Abashidze A. Kh., Koneva A. E. Strengthening the Human Rights Treaty Body System // Moscow Journal of International Law, No. 4, 2013. (In Russian)

Baset A. Concerning trends on Australia’s compliance with the International Covenant on Economic, Social and Cultural Rights // Australian Journal of Human Rights, Vol. 29, No. 2, 2023. (In English)

Hennebel L., Tigroudja H. International Human Rights Law: A Treatise // Cambridge University Press, 2025. (In English)

Kartashkin V. A. The 55th Anniversary of the Human Rights Covenants and Trends in the Development of the International Mechanism for the Protection of Human Rights // Modern Law Journal, No. 3, 2021. (In Russian)

Lesch M., Reinert N. Informal human rights law-making: How treaty bodies use ‘General Comments’ to develop international law // Global Constitutionalism, Vol. 12, No. 2, 2023. (In English)

The Universal Declaration of Human Rights: a common standard of achievement // edited by Alfredsson G., Eide A., Martinus Nijhoff Publishers, 2023. (In English)

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