

## **Optional Protocol to the International Covenant on Civil and Political Rights**

**Adopted and opened for signature, ratification and accession by  
General Assembly resolution 2200A (XXI) of 16 December 1966**

***entry into force 23 March 1976, in accordance with Article 9***

### ***The States Parties to the present Protocol,***

Considering that in order further to achieve the purposes of the International 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 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 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.

### **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 I, 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.

# Optional Protocol to the International Covenant on Civil and Political Rights

*New York, 16 December 1966*

Status as of 1 December 2006:

Signatories: 34, Parties: 109

Participant	Signature, Succession to signature (d)	Ratification, Accession (a), Succession (d)
Algeria		12 Sep 1989 a
Andorra	5 Aug 2002	22 Sep 2006
Angola		10 Jan 1992 a
Argentina		8 Aug 1986 a
Armenia		23 Jun 1993 a
Australia		25 Sep 1991 a
Austria	10 Dec 1973	10 Dec 1987
Azerbaijan		27 Nov 2001 a
Barbados		5 Jan 1973 a
Belarus		30 Sep 1992 a
Belgium		17 May 1994 a
Benin		12 Mar 1992 a
Bolivia		12 Aug 1982 a
Bosnia and Herzegovina	1 Mar 1995	1 Mar 1995
Bulgaria		26 Mar 1992 a
Burkina Faso		4 Jan 1999 a
Cambodia	27 Sep 2004	
Cameroon		27 Jun 1984 a
Canada		19 May 1976 a
Cape Verde		19 May 2000 a
Central African Republic		8 May 1981 a
Chad		9 Jun 1995 a
Chile		27 May 1992 a
China		
Colombia	21 Dec 1966	29 Oct 1969
Congo		5 Oct 1983 a
Costa Rica	19 Dec 1966	29 Nov 1968
Côte d'Ivoire		5 Mar 1997 a
Croatia		12 Oct 1995 a
Cyprus	19 Dec 1966	15 Apr 1992
Czech Republic		22 Feb 1993 d

Democratic Republic of the Congo		1 Nov 1976 a
Denmark	20 Mar 1968	6 Jan 1972
Djibouti		5 Nov 2002 a
Dominican Republic		4 Jan 1978 a
Ecuador	4 Apr 1968	6 Mar 1969
El Salvador	21 Sep 1967	6 Jun 1995
Equatorial Guinea		25 Sep 1987 a
Estonia		21 Oct 1991 a
Finland	11 Dec 1967	19 Aug 1975
France		17 Feb 1984 a
Gambia		9 Jun 1988 a
Georgia		3 May 1994 a
Germany		25 Aug 1993 a
Ghana	7 Sep 2000	7 Sep 2000
Greece		5 May 1997 a
Guatemala		28 Nov 2000 a
Guinea	19 Mar 1975	17 Jun 1993
Guinea-Bissau	12 Sep 2000	
Guyana		10 May 1993 a
Honduras	19 Dec 1966	7 Jun 2005
Hungary		7 Sep 1988 a
Iceland		22 Aug 1979 a
Ireland		8 Dec 1989 a
Italy	30 Apr 1976	15 Sep 1978
Jamaica	[19 Dec 1966	3 Oct 1975]
Kyrgyzstan		7 Oct 1994 a
Latvia		22 Jun 1994 a
Lesotho		6 Sep 2000 a
Liberia	22 Sep 2004	
Libyan Arab Jamahiriya		16 May 1989 a
Liechtenstein		10 Dec 1998 a
Lithuania		20 Nov 1991 a
Luxembourg		18 Aug 1983 a
Madagascar	17 Sep 1969	21 Jun 1971
Malawi		11 Jun 1996 a
Maldives		19 Sep 2006 a
Mali		24 Oct 2001 a
Malta		13 Sep 1990 a
Mauritius		12 Dec 1973 a
Mexico		15 Mar 2002 a

Moldova	16 Sep 2005	
Mongolia		16 Apr 1991 a
Montenegro <sup>4</sup>		23 Oct 2006 d
Namibia		28 Nov 1994 a
Nauru	12 Nov 2001	
Nepal		14 May 1991 a
Netherlands	25 Jun 1969	11 Dec 1978
New Zealand		26 May 1989 a
Nicaragua		12 Mar 1980 a
Niger		7 Mar 1986 a
Norway	20 Mar 1968	13 Sep 1972
Panama	27 Jul 1976	8 Mar 1977
Paraguay		10 Jan 1995 a
Peru	11 Aug 1977	3 Oct 1980
Philippines	19 Dec 1966	22 Aug 1989
Poland		7 Nov 1991 a
Portugal	1 Aug 1978	3 May 1983
Republic of Korea		10 Apr 1990 a
Romania		20 Jul 1993 a
Russian Federation		1 Oct 1991 a
Saint Vincent and the Grenadines		9 Nov 1981 a
San Marino		18 Oct 1985 a
Sao Tome and Principe	6 Sep 2000	
Senegal	6 Jul 1970	13 Feb 1978
Serbia	12 Mar 2001 d	6 Sep 2001
Seychelles		5 May 1992 a
Sierra Leone		23 Aug 1996 a
Slovakia		28 May 1993 d
Slovenia		16 Jul 1993 a
Somalia		24 Jan 1990 a
South Africa		28 Aug 2002 a
Spain		25 Jan 1985 a
Sri Lanka		3 Oct 1997 a
Suriname		28 Dec 1976 a
Sweden	29 Sep 1967	6 Dec 1971
Tajikistan		4 Jan 1999 a
The Former Yugoslav Republic of Macedonia	12 Dec 1994 d	12 Dec 1994
Togo		30 Mar 1988 a
Trinidad and Tobago		[14 Nov 1980 a]

Turkey	3 Feb 2004	24 Nov 2006
Turkmenistan		1 May 1997 a
Uganda		14 Nov 1995 a
Ukraine		25 Jul 1991 a
Uruguay	21 Feb 1967	1 Apr 1970
Uzbekistan		28 Sep 1995 a
Venezuela (Bolivarian Republic of)	15 Nov 1976	10 May 1978
Zambia		10 Apr 1984 a