



UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
LIMITED

E/CN.4/Sub.2/L.308
13 January 1964

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS
SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION
OF MINORITIES
Sixteenth session
Agenda item 4

Mr. Abram: Suggested Draft for United Nations Convention on the
Elimination of All Forms of Racial Discrimination

Desiring to implement the principles embodied in the Declaration on the Elimination of all Forms of Racial Discrimination, proclaimed by the General Assembly of the United Nations at its eighteenth session on 20 November 1963;

Recognizing the obligation of all Members of the United Nations, in accordance with the Charter, to co-operate in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion;

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out in the Declaration, without distinction of any kind, in particular race, colour, or national origin;

Taking into account the Convention on Discrimination in Respect of Employment and Occupation adopted by the International Labour Organisation in 1958;

Taking into account also the Convention against Discrimination in Education adopted by UNESCO in 1960;

Having resolved to conclude a Convention for this purpose,

Hereby agree as hereinafter provided:

Article I

For the purpose of this convention, the term racial discrimination includes any distinction, exclusion or preference made on the basis of race, colour, or ethnic origin, and in the case of States composed of different nationalities or persons of different national origin, discrimination based on such differences.

Article II

1. No State Party shall make any discrimination whatsoever against persons, groups of persons or institutions on the grounds of race, colour, or ethnic origin, or where applicable, on the basis of "nationality" or national origin.

2. No State Party shall encourage, advocate or lend its support, through police action or otherwise, to racial discrimination by any group, institution, or individual.

3. A State Party may take special concrete measures in appropriate circumstances in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall in no circumstances have as a consequence the maintenance of unequal or separate rights for different racial groups.

Article III

1. Each State Party shall take effective measures to revise governmental and other public policies, and to rescind or nullify any laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it exists.

2. Each State Party shall put an end without delay to governmental and other public policies of racial segregation and especially policies of apartheid, as well as all forms of racial discrimination and separation resulting from such policies.

Article IV

Each State Party shall take effective measures, including the adoption of such legislation as may be necessary, to assure equal access to any place or facility intended for use by the general public, and to prohibit racial discrimination therein.

Article V

Each State Party shall take the necessary steps to prevent any racial discrimination in the enjoyment of political and citizenship rights, including in particular the right to participate in elections through universal and equal suffrage and to equal access to public service.

Article VI

Each State Party shall take the necessary steps to assure everyone within its jurisdiction the right to equality before the law and equal justice under the law. Everyone, without any racial discrimination, should be assured the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group, or institution.

Article VII

Each State Party shall assure to everyone within its jurisdiction the right to an effective remedy against any racial discrimination he may suffer with respect to the rights recognized in this convention through independent national tribunals competent to deal with such matters.

Article VIII

Each State Party shall take immediate steps through educational and other means, including legislative measures as appropriate, to promote or encourage the elimination of racial discrimination in any form and to promote understanding, tolerance, and friendship among all nations and all peoples.

