APPENDIX - V

International Convention on the Elimination of All Forms of Racial Discrimination

This Convention was adopted by the General Assembly of the United Nations on 21 December 1965 and came into force on 4 January 1969. Reproduced below are excerpts from this Convention.

The States Parties to this Convention,

Considering that the charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action, in co-operation with the Organisation, for the achievement of one of the purposes of the United Nations which is to promote and encourage universal respect for and observance of 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 dignity and rights and that
everyone is entitled to all the right and freedoms set out therein, without
distinction of any particular as to race, colour or national origin.

Considering that all human beings are equal before the law are entitled to
equal protection of the law against any discrimination and against any
incitement to discrimination,

Considering that the United Nations has condemned colonialism and all
practices of segregation and discrimination associated therewith. In
whatever forms and wherever they exist, and that the Declaration on the
Granting of Independence to colonial countries and peoples of
14 December 1960 (General Assembly Resolution 1514 (XV) has affirmed
and solemnly proclaimed the necessity of bringing them to a speedy and
unconditional end,

Considering that the United Nations Declaration on the Elimination of all
forms of Racial Discrimination of 20 November 1963 (General Assembly
Resolution 1514 (XVIII) solemnly affirms the necessity of speedily
eliminating racial discrimination throughout the world in all its forms and
manifestations and of securing understanding of and respect for the dignity
of the human person,
Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for radial discrimination, in theory or in practice, anywhere,

Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State.

Convinced that the existence of racial barriers is to represent the ideals of any human society.

Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies or apartheid, segregation or separation,

Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination.
Have agreed as follows:

Part - 1

Article 1

1. In this convention, the term ‘racial discrimination’, shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

2. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individual equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not as a consequence lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.
Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights as a consequence the ; maintenance of unequal or separate rights for different racial groups after the objective for which they were taken have been achieved.

Article 3

States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

Article 4

States Parties condemn all propaganda and all organisations which are based on ideas or theories of superiority of one race or group of
persons of one colour or ethnic, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in Article 5 of this convention, inter alia.

a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

b) Shall declare illegal and prohibit organisations, and also organised and all other propaganda activities which promote and incite racial discrimination, and shall recognise participation in such organisations or activities as an offence punishable by law;

c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.
Article 5

In compliance with the fundamental obligations laid down in Article 2 of this convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour or national or ethnic origin, to equality before the law.

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, educating culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical group, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of all forms of Racial Discrimination, and this Convention.