## 2. International Convention on the Elimination of All Forms of Racial Discrimination

*New York, 7 March 1966*

**ENTRY INTO FORCE:** 4 January 1969, in accordance with article 19.[1]

**REGISTRATION:** 12 March 1969, No. 9464.

**STATUS:** Signatories: 88. Parties: 182.

**TEXT:** United Nations, *Treaty Series* , vol. 660, p. 195.

***Note:*** The Convention was adopted by the General Assembly of the United Nations in resolution 2106 (XX)[2] of 21 December 1965.

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| *Participant*[3] | *Signature* | *Accession(a), Succession(d), Ratification* |
|---|---|---|
| Afghanistan | | 6 Jul 1983 a |
| Albania | | 11 May 1994 a |
| Algeria | 9 Dec 1966 | 14 Feb 1972 |
| Andorra | 5 Aug 2002 | 22 Sep 2006 |
| Angola | 24 Sep 2013 | 2 Oct 2019 |
| Antigua and Barbuda | | 25 Oct 1988 d |
| Argentina | 13 Jul 1967 | 2 Oct 1968 |
| Armenia | | 23 Jun 1993 a |
| Australia | 13 Oct 1966 | 30 Sep 1975 |
| Austria | 22 Jul 1969 | 9 May 1972 |
| Azerbaijan | | 16 Aug 1996 a |
| Bahamas (The) | | 5 Aug 1975 d |
| Bahrain | | 27 Mar 1990 a |
| Bangladesh | | 11 Jun 1979 a |
| Barbados | | 8 Nov 1972 a |
| Belarus | 7 Mar 1966 | 8 Apr 1969 |
| Belgium | 17 Aug 1967 | 7 Aug 1975 |
| Belize | 6 Sep 2000 | 14 Nov 2001 |
| Benin | 2 Feb 1967 | 30 Nov 2001 |
| Bhutan | 26 Mar 1973 | |
| Bolivia (Plurinational State of) | 7 Jun 1966 | 22 Sep 1970 |
| Bosnia and Herzegovina[4] | | 16 Jul 1993 d |
| Botswana | | 20 Feb 1974 a |
| Brazil | 7 Mar 1966 | 27 Mar 1968 |
| Bulgaria | 1 Jun 1966 | 8 Aug 1966 |
| Burkina Faso | | 18 Jul 1974 a |
| Burundi | 1 Feb 1967 | 27 Oct 1977 |
| Cabo Verde | | 3 Oct 1979 a |
| Cambodia | 12 Apr 1966 | 28 Nov 1983 |
| Cameroon | 12 Dec 1966 | 24 Jun 1971 |
| Canada | 24 Aug 1966 | 14 Oct 1970 |
| Central African Republic | 7 Mar 1966 | 16 Mar 1971 |
| Chad | | 17 Aug 1977 a |
| Chile | 3 Oct 1966 | 20 Oct 1971 |
| China[5,6,7,8] | | 29 Dec 1981 a |
| Colombia | 23 Mar 1967 | 2 Sep 1981 |
| Comoros | 22 Sep 2000 | 27 Sep 2004 |
| Congo | | 11 Jul 1988 a |
| Costa Rica | 14 Mar 1966 | 16 Jan 1967 |
| Côte d'Ivoire | | 4 Jan 1973 a |
| Croatia[4] | | 12 Oct 1992 d |
| Cuba | 7 Jun 1966 | 15 Feb 1972 |
| Cyprus | 12 Dec 1966 | 21 Apr 1967 |
| Czech Republic[9] | | 22 Feb 1993 d |
| Democratic Republic of the Congo | | 21 Apr 1976 a |
| Denmark[10] | 21 Jun 1966 | 9 Dec 1971 |
| Djibouti | 14 Jun 2006 | 30 Sep 2011 |
| Dominica | | 13 May 2019 a |
| Dominican Republic | | 25 May 1983 a |
| Ecuador | | 22 Sep 1966 a |
| Egypt | 28 Sep 1966 | 1 May 1967 |
| El Salvador | | 30 Nov 1979 a |
| Equatorial Guinea | | 8 Oct 2002 a |
| Eritrea | | 31 Jul 2001 a |
| Estonia | | 21 Oct 1991 a |
| Eswatini | | 7 Apr 1969 a |
| Ethiopia | | 23 Jun 1976 a |
| Fiji | | 11 Jan 1973 d |

| *Participant*[3] | *Signature* | *Accession(a), Succession(d), Ratification* |
|---|---|---|
| Finland | 6 Oct 1966 | 14 Jul 1970 |
| France | | 28 Jul 1971 a |
| Gabon | 20 Sep 1966 | 29 Feb 1980 |
| Gambia | | 29 Dec 1978 a |
| Georgia | | 2 Jun 1999 a |
| Germany[11] | 10 Feb 1967 | 16 May 1969 |
| Ghana | 8 Sep 1966 | 8 Sep 1966 |
| Greece | 7 Mar 1966 | 18 Jun 1970 |
| Grenada | 17 Dec 1981 | 10 May 2013 |
| Guatemala | 8 Sep 1967 | 18 Jan 1983 |
| Guinea | 24 Mar 1966 | 14 Mar 1977 |
| Guinea-Bissau | 12 Sep 2000 | 1 Nov 2010 |
| Guyana | 11 Dec 1968 | 15 Feb 1977 |
| Haiti | 30 Oct 1972 | 19 Dec 1972 |
| Holy See | 21 Nov 1966 | 1 May 1969 |
| Honduras | | 10 Oct 2002 a |
| Hungary | 15 Sep 1966 | 4 May 1967 |
| Iceland | 14 Nov 1966 | 13 Mar 1967 |
| India | 2 Mar 1967 | 3 Dec 1968 |
| Indonesia | | 25 Jun 1999 a |
| Iran (Islamic Republic of) | 8 Mar 1967 | 29 Aug 1968 |
| Iraq | 18 Feb 1969 | 13 Feb 1970 |
| Ireland | 21 Mar 1968 | 29 Dec 2000 |
| Israel | 7 Mar 1966 | 3 Jan 1979 |
| Italy | 13 Mar 1968 | 5 Jan 1976 |
| Jamaica | 14 Aug 1966 | 4 Jun 1971 |
| Japan | | 15 Dec 1995 a |
| Jordan | | 30 May 1974 a |
| Kazakhstan | | 26 Aug 1998 a |
| Kenya | | 13 Sep 2001 a |
| Kuwait | | 15 Oct 1968 a |
| Kyrgyzstan | | 5 Sep 1997 a |
| Lao People's Democratic Republic | | 22 Feb 1974 a |
| Latvia | | 14 Apr 1992 a |
| Lebanon | | 12 Nov 1971 a |
| Lesotho | | 4 Nov 1971 a |
| Liberia | | 5 Nov 1976 a |
| Libya | | 3 Jul 1968 a |
| Liechtenstein | | 1 Mar 2000 a |
| Lithuania | 8 Jun 1998 | 10 Dec 1998 |
| Luxembourg | 12 Dec 1967 | 1 May 1978 |
| Madagascar | 18 Dec 1967 | 7 Feb 1969 |
| Malawi | | 11 Jun 1996 a |
| Maldives | | 24 Apr 1984 a |
| Mali | | 16 Jul 1974 a |
| Malta | 5 Sep 1968 | 27 May 1971 |
| Marshall Islands | | 11 Apr 2019 a |
| Mauritania | 21 Dec 1966 | 13 Dec 1988 |
| Mauritius | | 30 May 1972 a |
| Mexico | 1 Nov 1966 | 20 Feb 1975 |
| Monaco | | 27 Sep 1995 a |
| Mongolia | 3 May 1966 | 6 Aug 1969 |
| Montenegro[12] | | 23 Oct 2006 d |
| Morocco | 18 Sep 1967 | 18 Dec 1970 |
| Mozambique | | 18 Apr 1983 a |
| Namibia[13] | | 11 Nov 1982 a |
| Naoero | 12 Nov 2001 | |
| Nepal | | 30 Jan 1971 a |
| Netherlands (Kingdom of the) | 24 Oct 1966 | 10 Dec 1971 |
| New Zealand[14] | 25 Oct 1966 | 22 Nov 1972 |
| Nicaragua | | 15 Feb 1978 a |
| Niger | 14 Mar 1966 | 27 Apr 1967 |
| Nigeria | | 16 Oct 1967 a |
| North Macedonia[4] | | 18 Jan 1994 d |
| Norway | 21 Nov 1966 | 6 Aug 1970 |
| Oman | | 2 Jan 2003 a |
| Pakistan | 19 Sep 1966 | 21 Sep 1966 |
| Palau | 20 Sep 2011 | |
| Panama | 8 Dec 1966 | 16 Aug 1967 |
| Papua New Guinea | | 27 Jan 1982 a |
| Paraguay | 13 Sep 2000 | 18 Aug 2003 |
| Peru | 22 Jul 1966 | 29 Sep 1971 |
| Philippines | 7 Mar 1966 | 15 Sep 1967 |
| Poland | 7 Mar 1966 | 5 Dec 1968 |
| Portugal[7] | | 24 Aug 1982 a |
| Qatar | | 22 Jul 1976 a |
| Republic of Korea | 8 Aug 1978 | 5 Dec 1978 |
| Republic of Moldova | | 26 Jan 1993 a |
| Romania | | 15 Sep 1970 a |
| Russian Federation | 7 Mar 1966 | 4 Feb 1969 |
| Rwanda | | 16 Apr 1975 a |
| San Marino | 11 Dec 2001 | 12 Mar 2002 |
| Sao Tome and Principe | 6 Sep 2000 | 10 Jan 2017 |
| Saudi Arabia | | 23 Sep 1997 a |
| Senegal | 22 Jul 1968 | 19 Apr 1972 |

| *Participant*[3] | *Signature* | *Accession(a), Succession(d), Ratification* |
|---|---|---|
| Serbia[4] | | 12 Mar 2001 d |
| Seychelles | | 7 Mar 1978 a |
| Sierra Leone | 17 Nov 1966 | 2 Aug 1967 |
| Singapore | 19 Oct 2015 | 27 Nov 2017 |
| Slovakia[9] | | 28 May 1993 d |
| Slovenia[4] | | 6 Jul 1992 d |
| Solomon Islands | | 17 Mar 1982 d |
| Somalia | 26 Jan 1967 | 26 Aug 1975 |
| South Africa | 3 Oct 1994 | 10 Dec 1998 |
| Spain | | 13 Sep 1968 a |
| Sri Lanka | | 18 Feb 1982 a |
| St. Kitts and Nevis | | 13 Oct 2006 a |
| St. Lucia | | 14 Feb 1990 d |
| St. Vincent and the Grenadines | | 9 Nov 1981 a |
| State of Palestine | | 2 Apr 2014 a |
| Sudan | | 21 Mar 1977 a |
| Suriname | | 15 Mar 1984 d |
| Sweden | 5 May 1966 | 6 Dec 1971 |
| Switzerland | | 29 Nov 1994 a |
| Syrian Arab Republic | | 21 Apr 1969 a |
| Tajikistan | | 11 Jan 1995 a |
| Thailand[15] | | 28 Jan 2003 a |
| Timor-Leste | | 16 Apr 2003 a |
| Togo | | 1 Sep 1972 a |
| Tonga | | 16 Feb 1972 a |
| Trinidad and Tobago | 9 Jun 1967 | 4 Oct 1973 |
| Tunisia | 12 Apr 1966 | 13 Jan 1967 |
| Türkiye | 13 Oct 1972 | 16 Sep 2002 |
| Turkmenistan | | 29 Sep 1994 a |
| Uganda | | 21 Nov 1980 a |
| Ukraine | 7 Mar 1966 | 7 Mar 1969 |
| United Arab Emirates | | 20 Jun 1974 a |
| United Kingdom of Great Britain and Northern Ireland[5,16] | 11 Oct 1966 | 7 Mar 1969 |
| United Republic of Tanzania | | 27 Oct 1972 a |
| United States of America | 28 Sep 1966 | 21 Oct 1994 |
| Uruguay | 21 Feb 1967 | 30 Aug 1968 |
| Uzbekistan | | 28 Sep 1995 a |
| Venezuela (Bolivarian Republic of) | 21 Apr 1967 | 10 Oct 1967 |
| Viet Nam | | 9 Jun 1982 a |
| Yemen[17,18] | | 18 Oct 1972 a |
| Zambia | 11 Oct 1968 | 4 Feb 1972 |
| Zimbabwe | | 13 May 1991 a |

## *Declarations and Reservations*

***(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.***

***For objections thereto and declarations recognizing the competence of the Committee on the Elimination of Racial Discrimination, see hereinafter.)***

### AFGHANISTAN

While acceding to the International Convention on the Elimination of All Forms of Racial Discrimination, the Democratic Republic of Afghanistan does not consider itself bound by the provisions of article 22 of the Convention since according to this article, in the event of disagreement between two or several States Parties to the Convention on the interpretation and implementation of provisions of the Convention, the matters could be referred to the International Court of Justice upon the request of only one side.

The Democratic Republic of Afghanistan, therefore, states that should any disagreement emerge on the interpretation and implementation of the Convention, the matter will be referred to the International Court of Justice only if all concerned parties agree with that procedure.

Furthermore, the Democratic Republic of Afghanistan states that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination have a discriminatory nature against some states and therefore are not in conformity with the principle of universality of international treaties.

### ANTIGUA AND BARBUDA

"The Constitution of Antigua and Barbuda entrenches and guarantees to every person in Antigua and Barbuda the fundamental rights and freedoms of the individual irrespective of race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights, whether by the state or by a private individual. Acceptance of the Convention by the Government of Antigua and Barbuda does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Antigua and Barbuda interprets article 4 of the Convention as requiring a Party to enact measures in the fields covered by subparagraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation."

### AUSTRALIA

"The Government of Australia ... declares that Australia is not at present in a position specifically to treat as offences all the matters covered by article 4 (a) of the Convention. Acts of the kind there mentioned are punishable only to the extent provided by the existing criminal law dealing with such matters as the maintenance of public order, public mischief, assault, riot, criminal libel, conspiracy and attempts. It is the intention of the Australian Government, at the first suitable moment, to seek from Parliament legislation specifically implementing the terms of article 4 (a)."

### AUSTRIA

"Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination provides that the measures specifically described in sub-paragraphs (a), (b) and (c) shall be undertaken with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention. The Republic of Austria therefore considers that through such measures the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association may not be jeopardized. These rights are laid down in articles 19 and 20 of the Universal Declaration of Human Rights; they were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights and are referred to in article 5 (d) (viii) and (ix) of the present Convention."

### BAHAMAS (THE)

"Firstly the Government of the Commonwealth of the Bahamas wishes to state its understanding of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by subparagraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration set out in article 5 of the Convention (in particular to freedom of opinion and expression and the right of freedom of peaceful assembly and association) that some legislative addition to, or variation of existing law and practice in these fields is necessary for the attainment of the ends specified in article 4. Lastly, the Constitution of the Commonwealth of the Bahamas entrenches and guarantees to every person in the Commonwealth of the Bahamas the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial process to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Acceptance of this Convention by the Commonwealth of the Bahamas does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial process beyond these prescribed under the Constitution."

### BAHRAIN[18,19]

"With reference to article 22 of the Convention, the Government of the State of Bahrain declares that, for the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the express consent of all the parties to the dispute is required in each case.

..."

### BARBADOS

"The Constitution of Barbados entrenches and guarantees to every person in Barbados the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Accession to the Convention does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Barbados interprets article 4 of the said Convention as requiring a Party to the Convention to enact measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation."

### BELARUS[20]

The Byelorussian Soviet Socialist Republic states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and hold that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

### BELGIUM

In order to meet the requirements of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Kingdom of Belgium will take care to adapt its legislation to the obligations it has assumed in becoming a party to the said Convention.

The Kingdom of Belgium nevertheless wishes to emphasize the importance which it attaches to the fact that article 4 of the Convention provides that the measures laid down in subparagraphs (a), (b), and (c) should be adopted with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention. The Kingdom of Belgium therefore considers that the obligations imposed by article 4 must be reconciled with the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association. Those rights are proclaimed in articles 19 and 20 of the Universal Declaration of Human Rights and have been reaffirmed in articles 19 and 21 of the International Covenant on Civil and Political Rights. They have also been stated in article 5, subparagraph (d) (viii) and (ix) of the said Convention.

The Kingdom of Belgium also wishes to emphasize the importance which it attaches to respect for the rights set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms, especially in articles 10 and 11 dealing respectively with freedom of opinion and expression and freedom of peaceful assembly and association.

### BULGARIA[21]

The Government of the People's Republic of Bulgaria considers that the provisions of article 17, paragraph 1, and article 18, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, the effect of which is to prevent sovereign States from becoming Parties to the Convention, are of a discriminatory nature. The Convention, in accordance with the principle of the sovereign equality of States, should be open for accession by all States without any discrimination whatsoever.

### CHINA[22]

The People's Republic of China has reservations on the provisions of article 22 of the Convention and will not be bound by it. *(The reservation was circulated by the Secretary-General on 13 January 1982.)*

The signing and ratification of the said Convention by the Taiwan authorities in the name of China are illegal and null and void.

### CUBA

The Government of the Republic of Cuba will make such reservations as it may deem appropriate if and when the Convention is ratified.

The Revolutionary Government of the Republic of Cuba does not accept the provision in article 22 of the Convention to the effect that disputes between two or more States Parties shall be referred to the International Court of Justice, since it considers that such disputes should be settled exclusively by the procedures expressly provided for in the Convention or by negotiation through the diplomatic channel between the disputants.

This Convention, intended to eliminate all forms of racial discrimination, should not, as it expressly does in articles 17 and 18, exclude States not Members of the United Nations, members of the specialized agencies or Parties to the Statute of the International Court of Justice from making an effective contribution under the Convention, since these articles constitute in themselves a form of discrimination that is at variance with the principles set out in the Convention; the Revolutionary Government of the Republic of Cuba accordingly ratifies the Convention, but with the qualification just indicated.

### CZECH REPUBLIC[9]

### DENMARK[10]

### EGYPT[18,23]

"The United Arab Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice."

### EQUATORIAL GUINEA

The Republic of Equatorial Guinea does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision. The Republic of Equatorial Guinea considers that, in each individual case, the consent of all parties is necessary for referring the dispute to the International Court of Justice.

### FIJI[24]

### FRANCE[25]

With regard to article 4, France wishes to make it clear that it interprets the reference made therein to the principles of the Universal Declaration of Human Rights and to the rights set forth in article 5 of the Convention as releasing the States Parties from the obligation to enact anti-discrimination legislation which is incompatible with the freedoms of opinion and expression and of peaceful assembly and association guaranteed by those texts.

With regard to article 6, France declares that the question of remedy through tribunals is, as far as France is concerned, governed by the rules of ordinary law.

With regard to article 15, France's accession to the Convention may not be interpreted as implying any change in its position regarding the resolution mentioned in that provision.

### GRENADA[26]

"The Constitution of Grenada entrenches and guarantees to every person in the State of Grenada the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Ratification of the Convention by Grenada does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligations to introduce judicial processes beyond those provided in the Constitution.

The Government of Grenada interprets article 4 of the said Convention as requiring a Party to the Convention to enact measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only where it considers that the need arises to enact such legislation."

### GUYANA

"The Government of the Republic of Guyana do not interpret the provisions of this Convention as imposing upon them any obligation going beyond the limits set by the Constitution of Guyana or imposing upon them any obligation requiring the introduction of judicial processes going beyond those provided under the same Constitution."

### HUNGARY[27]

"The Hungarian People's Republic considers that the provisions of article 17, paragraph 1, and of article 18, paragraph 1, of the Convention, barring accession to the Convention by all States, are of a discriminating nature and contrary to international law. The Hungarian People's Republic maintains its general position that multilateral treaties of a universal character should, in conformity with the principles of sovereign equality of States, be open for accession by all States without any discrimination whatever."

### INDIA[28]

"The Government of India declare that for reference of any dispute to the International Court of Justice for decision in terms of Article 22 of the International Convention on the Elimination of all Forms of Racial Discrimination, the consent of all parties to the dispute is necessary in each individual case."

### INDONESIA

"The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 22 and takes the position that disputes relating to the interpretation and application of the [Convention] which cannot be settled through the channel provided for in the said article, may be referred to the International Court of Justice only with the consent of all the parties to the dispute."

### IRAQ[18]

"The Ministry for Foreign Affairs of the Republic of Iraq hereby declares that signature for and on behalf of the Republic of Iraq of the Convention on the Elimination

of All Forms of Racial Discrimination, which was adopted by the General Assembly of the United Nations on 21 December 1965, as well as approval by the Arab States of the said Convention and entry into it by their respective governments, shall in no way signify recognition of Israel or lead to entry by the Arab States into such dealings with Israel as may be regulated by the said Convention.

"Furthermore, the Government of the Republic of Iraq does not consider itself bound by the provisions of article twenty-two of the Convention afore-mentioned and affirms its reservation that it does not accept the compulsory jurisdiction of the International Court of Justice provided for in the said article."

1. The acceptance and ratification of the Convention by Iraq shall in no way signify recognition of Israel or be conducive to entry by Iraq into such dealings with Israel as are regulated by the Convention;

2. Iraq does not accept the provisions of article 22 of the Convention, concerning the compulsory jurisdiction of the International Court of Justice. The Republic of Iraq does not consider itself to be bound by the provisions of article 22 of the Convention and deems it necessary that in all cases the approval of all parties to the dispute be secured before the case is referred to the International Court of Justice.

### IRELAND

"Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination provides that the measures specifically described in sub-paragraphs (a), (b) and (c) shall be undertaken with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in Article 5 of the Convention. Ireland threfore considers that through such measures, the right to freedom of opinion and expression and the right to peaceful assembly and association may not be jeopardised. These rights are laid down in Articles 19 and 20 of the Universal Declaration of Human Rights; they were reaffirmed by the General Assembly of the United Nations when it adopted Articles 19 and 21 of the International Covenant on Civil and Political Rights and are referred to in Article 5 (d)(viii) and (ix) of the present Convention."

### ISRAEL

"The State of Israel does not consider itself bound by the provisions of article 22 of the said Convention."

### ITALY

(a) The positive measures, provided for in article 4 of the Convention and specifically described in sub-paragraphs (a) and (b) of that article, designed to eradicate all incitement to, or acts of, discrimination, are to be interpreted, as that article provides, "with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5" of the Convention. Consequently, the obligations deriving from the aforementioned article 4 are not to jeopardize the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association which are laid down in articles 19 and 20 of the Universal Declaration of Human Rights, were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights, and are referred to in articles 5 (d) (viii) and (ix) of the Convention. In fact, the Italian Government, in conformity with the obligations resulting from Articles 55 (c) and 56 of the Charter of the United Nations, remains faithful to the principle laid down in article 29 (2) of the Universal Declaration, which provides that "in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."

(b) Effective remedies against acts of racial discrimination which violate his individual rights and fundamental freedoms will be assured to everyone, in conformity with article 6 ofthe Convention, by the ordinary courts within the framework of their respective jurisdiction. Claims for reparation for any damage suffered as a result of acts of racial discrimination must be brought against the persons responsible for the malicious or criminal acts which caused such damage.

### JAMAICA

"The Constitution of Jamaica entrenches and guarantees to every person in Jamaica the fundamental rights and freedoms of the individual irrespective of his race or place of origin. The Constitution prescribes judicial processes to be observed in the event of the violation of any of these rights whether by the State or by a private individual. Ratification of the Convention by Jamaica does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligation to introduce judicial processes beyond those prescribed under the Constitution."

### JAPAN

"In applying the provisions of paragraphs (a) and (b) of article 4 of the [said Convention] Japan fulfills the obligations under those provisions to the extent that fulfillment of the obligations is compatible with the guarantee of the rights to freedom of assembly, association and expression and other rights under the Constitution of Japan, noting the phrase `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' referred to in article 4."

### KUWAIT[18]

"In acceding to the said Convention, the Government of the State of Kuwait takes the view that its accession does not in any way imply recognition of Israel, nor does it oblige it to apply the provisions of the Convention in respect of the said country.

"The Government of the State of Kuwait does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any party to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice."

### LEBANON

The Republic of Lebanon does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any party to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all States parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

### LIBYA[18]

"(a) The Kingdom of Libya does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

"(b) It is understood that the accession to this Convention does not mean in any way a recognition of Israel by the Government of the Kingdom of Libya. Furthermore, no treaty relations will arise between the Kingdom of Libya and Israel."

### MADAGASCAR

The Government of the Malagasy Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court.

### MALTA

"The Government of Malta wishes to state its understanding of certain articles in the Convention.

"It interprets article 4 as requiring a party to the Convention to adopt further measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article should it consider, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights set forth in article 5 of the Convention, that the need arises to enact ' *ad hoc* ' legislation, in addition to or variation of existing law and practice to bring to an end any act of racial discrimination.

"Further, the Government of Malta interprets the requirements in article 6 concerning `reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available and interprets `satisfaction' as including any form of redress effective to bring the discriminatory conduct to an end."

### MONACO

Monaco reserves the right to apply its own legal provisions concerning the admission of foreigners to the labour market of the Principality.

Monaco interprets the reference in that article to the principles of the Universal Declaration of Human Rights, and to the rights enumerated in article 5 of the Convention as releasing States Parties from the obligation to promulgate repressive laws which are incompatible with freedom of opinion and expression and freedom of peaceful assembly and association, which are guaranteed by those instruments.

### MONGOLIA[29]

The Mongolian People's Republic states that the provision in article 17, paragraph 1, of the Convention whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and it holds that, in accordance with the principle of the sovereign equality of States, the Convention on the Elimination of All Forms of Racial Discrimination should be open to participation by all interested States without discrimination or restriction of any kind.

### MOROCCO

The Kingdom of Morocco does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision. The Kingdom of Morocco states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

### MOZAMBIQUE

"The People's Republic of Mozambique does not consider to be bound by the provision of article 22 and wishes to restate that for the submission of any dispute to the International Court of Justice for decision in terms of the said article, the consent of all parties to such a dispute is necessary in each individual case."

### NEPAL

"The Constitution of Nepal contains provisions for the protection of individual rights, including the right to freedom of speech and expression, the right to form unions and associations not motivated by party politics and the right to freedom of professing his/her own religion; and nothing in the Convention shall be deemed to require or to authorize legislation or other action by Nepal incompatible with the provisions of the Constitution of Nepal.

"His Majesty's Government interprets article 4 of the said Convention as requiring a Party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only insofar as His Majesty's Government may consider, with due regard to the principles embodied in the Universal Declaration of Human Rights, that some legislative addition to, or variation of, existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. His Majesty's Government interprets the requirement in article 6 concerning `reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available; and further interprets `satisfaction' as including any form of redress effective to bring the discriminatory conduct to an end.

"His Majesty's Government does not consider itself bound by the provision of article 22 of the Convention under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision."

### PAPUA NEW GUINEA[22]

"The Government of Papua New Guinea interprets article 4 of the Convention as requiring a party to the Convention to adopt further legislative measures in the areas covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles contained in the Universal Declaration set out in Article 5 of the Convention that some legislative addition to, or variation of existing law and practice, is necessary to give effect to the provisions of article 4. In addition, the Constitution of Papua New Guinea guarantees certain fundamental rights and freedoms to all persons irrespective of their race or place of origin. The Constitution also provides for judicial protection of these rights and freedoms. Acceptance of this Convention does

not therefore indicate the acceptance of obligations by the Government of Papua New Guinea which go beyond those provided by the Constitution, nor does it indicate the acceptance of any obligation to introduce judicial process beyond that provided by the Constitution". *(The reservation was circulated by the Secretary-General on 22 February 1982.)*

### POLAND[30]

The Polish People's Republic considers that the provisions of article 17, paragraph 1, and article18, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, which make it impossible for many States to become parties to the said Convention, are of a discriminatory nature and are incompatible with the object and purpose of that Convention.

The Polish People's Republic considers that, in accordance with the principle of the sovereign equality of States, the said Convention should be open for participation by all States without any discrimination or restrictions whatsoever.

### REPUBLIC OF KOREA

"The Government of the Republic of Korea recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of the Republic of Korea claiming to be victims of a violation by the Republic of Korea of any of the rights set forth in the said Convention."

### ROMANIA[31]

...

The Council of State of the Socialist Republic of Romania declares that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination are not in accordance with the principle that multilateral treaties, the aims and objectives of which concern the world community as a whole, should be open to participation by all States.

### RUSSIAN FEDERATION[20]

The Union of Soviet Socialist Republics states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and hold that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

### RWANDA[32]

### SAUDI ARABIA

[The Government of Saudi Arabia declares that it will] implement the provisions [of the above Convention], providing these do not conflict with the precepts of the Islamic *Shariah* .

The Kingdom of Saudi Arabia shall not be bound by the provisions of article (22) of this Convention, since it considers that any dispute should be referred to the International Court of Justice only with the approval of the States Parties to the dispute.

### SINGAPORE

"The Government of the Republic of Singapore makes the following reservations and declarations in relation to articles 2, 6 and 22 of the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter referred to as the "Convention") adopted by the General Assembly of the United Nations in New York on the 21st day of December 1965 and signed on behalf of the Republic of Singapore today:

(1) The Republic of Singapore reserves the right to apply its policies concerning the admission and regulation of foreign work pass holders, with a view to promoting integration and maintaining cohesion within its racially diverse society.

(2) The Republic of Singapore understands that the obligation imposed by Article 2, paragraph 1 (d) of the Convention may be implemented by means other than legislation if such means are appropriate, and if legislation is not required by circumstances.

(3) The Republic of Singapore interprets the requirement in Article 6 of the Convention concerning "reparation or satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end.

(4) With reference to Article 22 of the Convention, the Republic of Singapore states that before any dispute to which the Republic of Singapore is a party may be submitted to the jurisdiction of the International Court of Justice under this Article, the specific consent of the Republic of Singapore is required in each case."

### SLOVAKIA[9]

### SPAIN[33]

### SWITZERLAND

Switzerland reserves the right to take the legislative measures necessary for the implementation of article 4, taking due account of freedom of opinion and freedom of association, provided for *inter alia* in the Universal Declaration of Human Rights.

Switzerland reserves the right to apply its legal provisions concerning the admission of foreigners to the Swiss market.

### SYRIAN ARAB REPUBLIC[18]

1. The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said Convention.

2. The Syrian Arab Republic does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the Parties to the dispute, to be referred to the International Court of Justice for decision. The Syrian Arab Republic states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.

### THAILAND

"General Interpretative Declaration

The Kingdom of Thailand does not interpret and apply the provisions of this Convention as imposing upon the Kingdom of Thailand any obligation beyond the confines of the Constitution and the laws of the Kingdom of Thailand. In addition, such interpretation and application shall be limited to or consistent with the obligations under other international human rights instruments to which the Kingdom of Thailand is party.

Reservations

1. The Kingdom of Thailand does not consider itself bound by the provisions of Article 22 of the Convention."

### TONGA[34]

"To the extent, [...], that any law relating to land in Tonga which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), [...], the Kingdom of Tonga reserves the right not to apply the Convention to Tonga.

"Secondly, the Kingdom of Tonga wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. Further, the Kingdom of Tonga interprets the requirement in article 6 concerning `reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available and interprets `satisfaction' as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a Party to the Convention.

"Lastly, the Kingdom of Tonga maintains its position in regard to article 15. In its view this article is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories while making no comparable provision for States without such territories. Moreover, the article purports to establish arocedure applicable to the dependent territories of States whether or not those States have become parties to the Convention. His Majesty's Government have decided that the Kingdom of Tonga should accede to the Convention, these objections notwithstanding because of the importance they attach to the Convention as a whole."

### TÜRKIYE

"The Republic of Turkey declares that it will implement the provisions of this Convention only to the States Parties with which it has diplomatic relations.

The Republic of Turkey declares that this Convention is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied.

The Republic of Turkey does not consider itself bound by Article 22 of this Convention. The explicit consent of the Republic of Turkey is necessary in each individual case before any dispute to which the Republic of Turkey is party concerning the interpretation or application of this Convention may be referred to the International Court of Justice."

### UKRAINE[20]

The Ukrainian Soviet Socialist Republic states that the provision in article 17, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and hold that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all interested States without discrimination or restriction of any kind.

### UNITED ARAB EMIRATES[18]

"The accession of the United Arab Emirates to this Convention shall in no way amount to recognition of nor the establishment of any treaty relations with Israel."

### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

*Subject to the following reservation and interpretative statements:*

"First, in the present circumstances deriving from the usurpation of power in Rhodesia by the illegal régime, the United Kingdom must sign subject to a reservation of the right not to apply the Convention to Rhodesia unless and until the United Kingdom informs the Secretary-General of the United Nations that it is in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented.

"Secondly, the United Kingdom wishes to state its under- standing of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. Further, the United Kingdom interprets the requirement in article 6 concerning `reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available and interprets `satisfaction' as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a Party to the Convention.

"Lastly, the United Kingdom maintains its position in regard to article 15. In its view this article is discriminatory in that it establishes arocedure for the receipt of petitions relating to dependent territories while making no comparable provision for States without such territories. Moreover, the article purports to establish a procedure applicable to the dependent territories of States whether or not those States have become parties to the Convention. Her Majesty's Government have decided that the United Kingdom should sign the Convention, these objections notwithstanding, because of the importance they attach to the Convention as a whole."

"First, the reservation and interpretative statements made by the United Kingdom at the time of signature of the Convention are maintained.

"Secondly, the United Kingdom does not regard the Commonwealth Immigrants Acts, 1962 and 1968, or their application, as involving any racial discrimination within the meaning of paragraph 1 of article 1, or any other provision of the Convention, and fully reserves its right to continue to apply those Acts.

"Lastly, to the extent if any, that any law relating to election in Fiji may not fulfil the obligations referred to in article 5 (c), that any law relating to land in Fiji which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), or that the school system of Fiji may not fulfil the obligations referred to in articles 2, 3 or 5 (e) (v), the United Kingdom reserves the right not to apply the Convention to Fiji."

### UNITED STATES OF AMERICA

"The Constitution of the United States contains provisions for the protection of individual rights, such as the right of free speech, and nothing in the Convention shall be deemed to require or to authorize legislation or other action by the United States of America incompatible with the provisions of the Constitution of the United States of America."

"I. The Senate's advice and consent is subject to the following reservations:

(1) That the Constitution and laws of the United States contain extensive protections of individual freedom of speech, expression and association. Accordingly, the United States does not accept any obligation under this Convention, in particular under articles 4 and 7, to restrict those rights, through the adoption of legislation or any other measures, to the extent that they are protected by the Constitution and laws of the United States.

(2) That the Constitution and laws of the United States establish extensive protections against discrimination, reaching significant areas of non-governmental activity. Individual privacy and freedom from governmental interference in private conduct, however, are also recognized as among the fundamental values which shape our free and democratic society. The United States understands that the identification of the rights protected under the Convention by reference in article 1 to fields of `public life' reflects a similar distinction between spheres of public conduct that are customarily the subject of governmental regulation, and spheres of private conduct that are not. To the extent, however, that the Convention calls for a broader regulation of private conduct, the United States does not accept any obligation under this Convention to enact legislation or take other measures under paragraph (1) of article 2, subparagraphs (1) (c) and (d) of article 2, article 3 and article 5 with respect to private conduct except as mandated by the Constitution and laws of the United States.

(3) That with reference to article 22 of the Convention, before any dispute to which the United States is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the United States is required in each case.

II. The Senate's advice and consent is subject to the following understanding, which shall apply to the obligations of the United States under this Convention:

That the United States understands that this Convention shall be implemented by the Federal Government to the extent that it exercises jurisdiction over the matters covered therein, and otherwise by the state and local governments. To the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall, as necessary, take appropriate measures to ensure the fulfilment of this Convention.

III. The Senate's advice and consent is subject to the following declaration:

That the United States declares that the provisions of the Convention are not self-executing."

### VIET NAM[22]

(1) The Government of the Socialist Republic of Viet Nam declares that the provisions of article 17 (1) and of article 18 (1) of the Convention whereby a number of States are deprived of the opportunity of becoming Parties to the said Convention are of a discriminatory nature and it considers that, in accordance with the principle of the sovereign equality of States, the Convention should be open to participation by all States without discrimination or restriction of any kind.

(2) The Government of the Socialist Republic of Viet Nam does not consider itself bound by the provisions of article 22 of the Convention and holds that, for any dispute with regard to the interpretation or application of the Convention to be brought before the International Court of Justice, the consent of all parties to the dispute is necessary. *(The reservation was circulated by the Secretary-General on 10 August 1982.)*

### YEMEN[17,18]

"The accession of the People's Democratic Republic of Yemen to this Convention shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said Convention.

"The People's Democratic Republic of Yemen does not consider itself bound by the provisions of Article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any of the parties to the dispute, to be referred to the International Court of Justice for decision, and states that, in each individual case, the consent of all parties to such a dispute is necessary for referral of the dispute to the International Court of Justice.

"The People's Democratic Republic of Yemen states that the provisions of Article 17, paragraph 1, and Article 18, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination whereby a number of States are deprived of the opportunity to become Parties to the Convention is of a discriminatory nature, and holds that, in accordance with the principle of the sovereign equality of States, the Convention should be opened to participation by all interested States without discrimination or restriction of any kind."

## *Objections*
## *(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)*

### AUSTRALIA

"In accordance with article 20 (2), Australia objects to [the reservations made by Yemen] which it considers impermissible as being incompatible with the object and purpose of the Convention."

### AUSTRIA

"Austria is of the view that a reservation by which a State limits its responsibilities under the Convention in a general and unspecified manner creates doubts as to the commitment of the Kingdom of Saudi Arabia with its obligations under the Convention, essential for the fulfilment of its objection and purpose. According to paragraph 2 of article 20 a reservation incompatible with the object and purpose of this Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become Parties are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

Austria is further of the view that a general reservation of the kind made by the Government of the Kingdom of

Saudi Arabia, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international treaty law.

According to international law a reservation is inadmissible to the extent as its application negatively affects the compliance by a State with its obligations under the Convention essential for the fulfilment of its object and purpose.

Therefore, Austria cannot consider the reservation made by the Government of the Kingdom of Saudi Arabia as admissible unless the Government of the Kingdom of Saudi Arabia, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between the Kingdom of Saudi Arabia and Austria."

### BELARUS

The ratification of the above-mentioned International Convention by the so-called "Government of Democratic Kampuchea"-the Pol Pot-Ieng Sary clique of hangmen overthrown by the Kampuchean people - is completely unlawful and has no legal force. There is only one State of Kampuchea in the world-The People's Republic of Kampuchea, recognized by a large number of countries. All power in this State is entirely in the hands of its only lawful Government, the Government of the People's Republic of Kampuchea, which has the exclusive right to act in the name of Kampuchea in the international arena, including the right to ratify international agreements prepared within the United Nations.

The farce involving the ratification of the above-mentioned International Convention by a clique representing no one mocks the norms of law and morality and blasphemes the memory of millions of Kampuchean victims of the genocide committed by the Pol Pot-Ieng Sary régime.

### BELGIUM

These reservations are incompatible with the object and purpose of the Convention and consequently are not permitted pursuant to article 20, paragraph 2, of the Convention.

### CANADA

"The effect of these reservations would be to allow racial discrimination in respect of certain of the rights enumerated in Article 5. Since the objective of the International Convention on the Elimination of All Forms of Racial Discrimination, as stated in its Preamble, is to eliminate racial discrimination in all its forms and manifestations, the Government of Canada believes that the reservations made by the Yemen Arab Republic are incompatible with the object and purpose of the International Convention. Moreover, the Government of Canada believes that the principle of non-discrimination is generally accepted and recognized in international law and therefore is binding on all states."

### CYPRUS

".....the Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the International Convention on the Elimination of all Forms of Racial Discrimination (New York, 7 March 1966) on 16 September 2002 in respect of the implementation of the provisions of the Convention only to the States Parties with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Convention. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey.

This reservation or the objection to it shall not preclude the entry into force of the Convention between the Republic of Cyprus and the Republic of Turkey."

### CZECH REPUBLIC[9]

### DENMARK

"Article 5 contains undertakings, in compliance with the fundamental obligations laid down in article 2 of the Convention, 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, notably in the enjoyment of the rights enumerated in the article.

The reservations made by the Government of Yemen are incompatible with the object and purpose of the Convention and the reservations are consequently impermissible according to article 20, paragraph 2 of the Convention. In accordance with article 20, paragraph 1 of the Convention the Government of Denmark therefore formally objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Denmark and Yemen, and the reservations cannot alter or modify in any respect, the obligations arising from the Convention."

### ETHIOPIA

"The Provisional Military Government of Socialist Ethiopia should like to reiterate that the Government of the People's Republic of Kampuchea is the sole legitimate representative of the People of Kampuchea and as such it alone has the authority to act on behalf of Kampuchea.

The Provisional Military Government of Socialist Ethiopia, therefore, considers the ratification of the so-called `Government of Democratic Kampuchea' to be null and void."

### FINLAND

"The Government of Finland formally, and in accordance with article 20 (2) of the Convention, objects to the reservations made by Yemen to the above provisions.

In the first place, the reservations concern matters which are of fundamental importance in the Convention. The first paragraph of article 5 clearly brings this out. According to it, the Parties have undertaken to guarantee the rights listed in that article "In compliance with fundamental obligations laid down in article 2 of the Convention". Clearly, provisions prohibiting racial discrimination in the granting of such fundamental political rights and civil liberties as the right to participate in public life, to marry and choose a spouse, to inherit and to enjoy freedom of thought, conscience and religion are central in a convention against racial discrimination. Therefore, the reservations are incompatible with the object and purpose of the Convention, as specified in paragraph 20 (2) thereof and in article 19 (c) of the Vienna Convention on the Law of Treaties.

Moreover, it is the view of the Government of Finland that it would be unthinkable that merely by making a reservation to the said provisions, a State could achieve the liberty to start discriminatory practices on the grounds of race, colour, or national or ethnic origin in regard to such fundamental political rights and civil liberties as the right to participate in the conduct of public affairs, the

right of marriage and choice of spouse, the right of inheritance and the freedom of thought, conscience and religion. Any racial discrimination in respect of those fundamental rights and liberties is clearly against the general principles of human rights law as reflected in the Universal Declaration on Human Rights and the practice of States and international organizations. By making a reservation atate cannot contract out from universally binding human rights standards.

For the above reasons, the Government of Finland notes that the reservations made by Yemen are devoid of legal effect. However, the Government of Finland does not consider that this fact is an obstacle to the entry into force of the Convention in respect of Yemen."

"The Government of Finland is of the view that this general reservation raises doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that according to paragraph 2 of article 20 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Finland would also like to recall that according to the said paragraph a reservation shall be considered incompatible or inhibitive if at least two thirds of the States Parties to the Convention object to it. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland is further of the view that general reservations of the kind made by Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basisof international treaty law.

The Government of Finland therefore objects to the aforesaid general reservation made by the Government of Saudi Arabia to the [Convention].

### FRANCE

The Government of the French Republic, which does not recognize the coalition government of Democratic Cambodia, declares that the instrument of ratification by the coalition government of Democratic Cambodia of the [International] Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966, is without effect.

France considers that the reservations made by the Yemen Arab Republic to the International Convention on the Elimination of All Forms of Racial Discrimination are not valid as being incompatible with the object and purpose of the Convention.

Such objection is not an obstacle to the entry into force of the said Convention between France and the Yemen Arab Republic.

The Government of the Republic of France has examined the interpretative declaration made by the Government of the Kingdom of Thailand upon accession to the Convention on the Elimination of All Forms of Racial Discrimination of 7 March 1966. The Government of the Republic of France considers that, by making the interpretation and implementation of the provisions of the Convention subject to respect for the Constitution and legislation of the Kingdom of Thailand, the Government of the Kingdom of Thailand is making a reservation of such a general and indeterminate scope that it is not possible to ascertain which changes to obligations under the Convention it is intended to introduce. Consequently, the Government of France considers that this reservation as formulated could make the provisions of the Convention completely ineffective. For these reasons, the Government objects to this interpretative declaration, which it considers to be a reservation likely toe incompatible with the object and purpose of the Convention.

### GERMANY[3]

"These reservations relate to the basic obligations of States Parties to the Convention to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone to equality before the law and include the enjoyment of such fundamental political and civil rights as the right to take part in the conduct of public life, the right to marriage and choice of spouse, the right to inherit and the right to freedom of thought, conscience and religion. As a result, the reservations made by Yemen are incompatible with the object and purpose of the Convention within the meaning of article 20, paragraph 2 thereof."

The Government of the Federal Republic of Germany is of the view that this reservation may raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention.

The Government of the Federal Republic of Germany would like to recall that, according to paragraph 2 of article 20 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the said reservation.

The objection does not preclude the entry into force of the Convention between Saudi Arabia and the Federal Republic of Germany.

"The Government of the Federal Republic of Germany has examined the General Interpretative Declaration to the International Convention on the Elimination of all Forms of Racial Discrimination made by the Government of the Kingdom of Thailand at the time of its accession to the Convention.

The Government of the Federal Repblic of Germany considers that the General Interpretative Declaration made by Thailand is in fact a reservation that seeks to limit the scope of the Convention on an unilateral basis.

The Government of the Federal Republic of Germany notes that a reservation to all provisions of a Convention which consists of a general reference to national law without specifying its contents does not clearly define for the other State Parties to the Convention the extend to which the reserving state has accepted the obligations out of the provisions of the Convention.

The reservation made by the Government of the Kingdom of Thailand in respect to the applications of the provisions of the Convention therefore raises doubts as to the commitment of Thailand to fulfill its obligations out of all provisions of the Convention.

Hence the Government of the Federal Republic of Germany considers this reservation to be incompatible with the object and purpose of the Convention and objects to the General Interpretative Declaration made by the Government of the Kingdom of Thailand.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Kingdom of Thailand."

### ITALY

"The Government of the Republic of Italy raises an objection to the reservations entered by the Government of the Arab Republic of Yemen to article 5 [(c) and (d) (iv), (vi) and (vii)] of the above-mentioned Convention."

### MEXICO

The Government of the United Mexican States has concluded that, in view of article 20 of the Convention, the reservation must be deemed invalid, as it is incompatible with the object and purpose of the Convention.

Said reservation, if implemented would result in discrimination to the detriment of a certain sector of the population and, at the same time, would violate the rights established in articles 2, 16 and 18 of the Universal Declaration of Human Rights of 1948.

The objection of the United Mexican States to the reservation in question should not be interpreted as an impediment to the entry into force of the Convention of 1966 between the United States of Mexico and the Government of Yemen.

### MONGOLIA

"The Government of the Mongolian People's Republic considers that only the People's Revolutionary Council of Kampuchea as the sole authentic and lawful representative of the Kampuchean people has the right to assume international obligations on behalf of the Kampuchean people. Therefore the Government of the Mongolian People's Republic considers that the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination by the so-called Democratic Kampuchea, a regime that ceased to exist as a result of the people's revolution in Kampuchea, is null and void."

### NETHERLANDS (KINGDOM OF THE)

"The Kingdom of the Netherlands objects to the above-mentioned reservations, as they are incompatible with object and purpose of the Convention.

These objections are not an obstacle for the entry into force of this Convention between the Kingdom of the Netherlands and Yemen."

### NEW ZEALAND

"The New Zealand Government is of the view that those provisions contain undertakings which are themselves fundamental to the Convention. Accordingly it considers that the reservations purportedly made by Yemen relating to political and civil rights are incompatible with the object and purpose of the Treaty within the terms of the article 19 (c) of the Vienna Convention on the Law of Treaties.

The Government of New Zealand advises therefore under article 20 of the Convention on the Elimination of All Forms of Racial Discrimination that it does not accept the reservations made by Yemen."

### NORWAY

"The Government of Norway hereby enters its formal objection to the reservations made by Yemen."

"The Government of Norway considers that the reservation made by the Government of Saudi Arabia, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention, and thus impermissible under article 20, paragraph 2, of the Convention. Under well-established treaty law, a State party may not invoke the provisions of its internal law as justification for its failure to perform treaty obligations. For these reasons, the Government of Norway objects to the reservation made by the Government of Saudi Arabia.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Kingdom of Saudi Arabia."

### ROMANIA

"The Government of Romania has examined the general interpretative declaration made by the Government of Thailand at the time of its accession to the Convention on the Elimination of all Forms of Racial Discrimination.

The Government of Romania considers that the general interpretative declaration is, in fact, a reservation formulated in general terms, that not allows to clearly identify the obligations assumed by Thailand with regard to this legal instrument and, consequently, to state the consistency of this reservation with the purpose and object of the above-mentioned Convention, in accordance with the provisions of article 19 (c) of the Vienna Convention on the Law of Treaties (1969).

The Government of Romania therefore objects to the aforesaid reservation made by Thailand to the Convention on the Elimination of all Forms of Racial Discrimination.

This objection, however, shall not preclude the entry into force of the Convention between the Government of Romania and Thailand."

### RUSSIAN FEDERATION

The ratification of the above-mentioned International Convention by the so-called "Government of Democratic Kampuchea"-the Pol Pot clique of hangmen overthrown by the Kampuchean people-is completely unlawful and has no legal force. Only the representatives authorized by the State Council of the People's Republic of Kampuchea can act in the name of Kampuchea. There is only one State of Kampuchea in the world -the People's Republic of Kampuchea, which has been recognized by a large number of countries. All power in this State is entirely in the hands of its only lawful Government, the Government of the People's Republic of Kampuchea, which has the exclusive right to act in the name of Kampuchea in the international arena, including the right to ratify international agreements prepared within the United Nations.

Nor should one fail to observe that the farce involving the ratification of the above-mentioned International Convention by a clique representing no one mocks the norms of law and morality and is a direct insult to the memory of millions of Kampuchean victims of the genocide committed against the Kampuchean people by the Pol Pot Sary régime. The entire international community is familiar with the bloody crimes of that puppet clique.

### SLOVAKIA[9]

### SPAIN

The Government of Spain considers that, given its unlimited scope and undefined nature, the reservation made by the Government of Saudi Arabia is contrary to the object and purpose of the Convention and therefore inadmissible under article 10, paragraph 2, of the Convention. Under the generally accepted law of treaties, a State party may not invoke the provisions of its domestic law as a justification for failure to perform its treaty obligations. The Government of Spain therefore formulates an objection to the reservation made by the Government of Saudi Arabia. The Government of Spain does not consider that this objection constitutes an obstacle to the entry into force of the Convention between the Kingdom of Spain and the Kingdom of Saudi Arabia.

### SWEDEN

"Article 5 contains undertakings, in compliance with the fundamental obligations laid down in article 2 of the Convention, 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, notably in the enjoyment of the rights enumerated in the article.

The Government of Sweden has come to the conclusion that the reservations made by Yemen are incompatible with the object and purpose of the

Convention and therefore are impermissible according to article 20, paragraph 2 of the Convention. For this reason the Government of Sweden objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Sweden and Yemen, and the reservations cannot alter or modify, in any respect, the obligations arising from the Convention."

"The Government of Sweden notes that the said reservation is a reservation of a general kind in respect of the provisions of the Convention which may be in conflict with the precepts of the Islamic *Shariah* .

The Government of Sweden is of the view that this general reservation raises doubts as to the commitment [of] Saudi Arabia to the object and purpose of the Convention and would recall that, according to article 20, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of this Convention shall not be permitted.

It is in the common interest of states that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that states are prepared to undertake any legislative changes necessar to comply with their obligations under the treaties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservation made by the Government of Saudi Arabia to the [said Convention].

This objection does not preclude the entry into force of the Convention between Saudi Arabia and Sweden. The Convention will thus become operative between the two states without Saudi Arabia benefiting from this reservation."

The Government of Sweden has examined the declarations made by Turkey upon ratifying the International Convention on the Elimination of All Forms of Racial Discrimination.

Paragraph 1 of the declaration states that Turkey will implement the provisions of the Convention only to the States Parties with which it has diplomatic relations. This statement in fact amounts, in the view of the Government of Sweden, to a reservation. The reservation makes it unclear to what extent the Turkey considers itself bound by the obligations of the Convention. In absence of further clarification, therefore, the reservation raises doubts as to the commitment of Turkey to the object and purpose of the Convention.

It is in the common interest ofStates that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to article 20 of the International Convention on the Elimination of All Forms of Racial Discrimination, a reservation incompatible with the object and purpose of the convention shall not be permitted.

The Government of Sweden objects to the said reservation made by the Government of Turkey to the International Convention on the Elimination of All Forms of Racial Discrimination.

This objection does not preclude the entry into force of the Convention between Turkey and Sweden. The Convention enters into force in its entiretv between the two States, without Turkey benefiting from its reservation.

"The Government of Sweden has examined the general interpretative declaration made by the Kingdom of Thailand upon acceding to the International Convention on the Elimination of All Forms of Racial Discrimination.

The Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that the interpretative declaration made by the Kingdom of Thailand in substance constitutes a reservation.

The Government of Sweden notes that the application of the Convention is being made subject to a general reservation referring to the confines of national legislation, without specifying its contents. Such a reservation makes it unclear to what extent the reserving state considers itself bound by the obligations of the Convention. The reservation made by the Kingdom of Thailand therefore raises doubts as to the commitment of the Kingdom of Thailand to the object and purpose of the Convention. In addition, according to the Vienna Convention on the Law of Treaties, a party to a treaty may not invoke the provisions of its internal law as justification for its failure to abide by the treaty.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to customary law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted.

The Government of Sweden therefore objects to the aforesaid reservation made by the Kingdom of Thailand to the International Convention on the Elimination of All Forms of Racial Discrimination.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Thailand and Sweden. The Convention enters into force between the two States, without the Kingdom of Thailand benefitting from this reservation."

### UKRAINE

The ratification of the above-mentioned international Convention by the Pol Pot-Ieng Sary clique, which is guilty of the annihilation of millions of Kampucheans and which was overthrown in 1979 by the Kampuchean people, is thoroughly illegal and has no juridical force. There is only one Kampuchean State in the World, namely, the People's Republic of Kampuchea. All authority in this State is vested wholly in its sole legitimate government, the Government of the People's Republic of Kampuchea. This Government alone has the exclusive right to speak on behalf of Kampuchea at the international level, while the supreme organ of State power, the State Council of the People's Republic of Kampuchea has the exclusive right to ratify international agreements drawn up within the framework of the United Nations.

### UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The Government of the United Kingdom of Great Britain and Northern Ireland do not accept the reservations made by the Yemen Arab Republic to article 5 (c) and (d) (iv), (vi) and (vii) of the International Convention on the Elimination of All Forms of Racial Discrimination."

"The Government of the United Kingdom have examined the declaration made by the Government of the Republic of Turkey to the International Convention on the Elimination of All Forms of Racial Discrimination (New York, 7 March 1966) on 16 September 2002 in respect of implementation of the provisions of the Convention only to the States Parties with which it has diplomatic relations.

In the view of the Government of the United Kingdom, this declaration amounts to a reservation. This

reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Convention. The Government of the United Kingdom therefore object to the reservation made by the Government of the Republic of Turkey.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and the Republic of Turkey."

"The Government of the United Kingdom have examined the interpretative declaration made by the Government of the Kingdom of Thailand to the International Convention on the Elimination of All Forms of Racial Discrimination (New York, 7 March 1966) on 28 January 2003 in respect of the Government of the Kingdom of Thailand having no obligation to interpret and apply the provisions of the Convention beyond the confines of the Constitution and the laws of the Kingdom of Thailand and, in addition, that the interpretation and application shall be limited to or consistent with the obligations under other international human rights instruments to which the Kingdom of Thailand is party.

In the view of the Government of the United Kingdom, this declaration amounts to a reservation. This reservation amounts to a general reference to national law without specifying its contents and does not clearly define for the other States Parties to the Convention the extent to which the declaring State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the reservation made by the Government of the Kingdom of Thailand.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Thailand."

"The Government of the United Kingdom has examined the Declaration made by Grenada. In the view of the United Kingdom, the Declaration amounts to a reservation. The Declaration makes only a general reference to national law without specifying its contents and does not clearly define for the other States Parties to the Convention the extent to which Grenada has accepted the obligations of the Convention. The United Kingdom therefore objects to the reservation made by Grenada in its Declaration and hereby gives notice that it does not accept it.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Grenada."

#### VIET NAM

"The Government of the Socialist Republic of Vietnam considers that only the Government of the People's Republic of Kampuchea, which is the sole genuine and legitimate representative of the Kampuchean People, is empowered to act in their behalf to sign, ratify or accede to international conventions.

The Government of the Socialist Republic of Vietnam rejects as null and void the ratification of the above-mentioned international Convention by the so-called "Democratic Kampuchea"- a genocidal regime overthrown by the Kampuchean people since January 7, 1979.

Furthermore, the ratification of the Convention by a genocidal regime, which massacred more than 3 million Kampuchean people in gross violation of fundamental standards of morality and international laws on human rights, simply plays down the significance of the Convention and jeopardises the prestige of the United Nations."

### *Declarations recognizing the competence of the Committee on the Elimination of Racial Discrimination[35] in accordance with article 14 of the Convention*

***(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)***

#### ALGERIA

The Algerian Government declares, pursuant to article 14 of the Convention, that it recognizes the competence of the Commit tee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by it of any of the rights set forth in the Convention.

#### ANDORRA

Pursuant to paragraph 1 of article 14 of the Convention, the Principality of Andorra declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals claiming to be victims of a violation by the Principality of Andorra of any of the rights set forth in the Convention. However, this procedure applies only insofar as the Committee has established that the same matter is not being examined, or has not been examined by another international body of investigation or settlement.

#### ARGENTINA

Pursuant to the provisions of article 14, paragraphs 2 and 3, of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government of the Republic of Argentina designates the National Institute to Combat Discrimination, Xenophobia and Racism (INADI) as competent within the national legal system to receive and consider petitions from individuals and groups of individuals within the jurisdiction of the Republic of Argentina, who claims to be victims of a violation by the national government of the rights set forth in the Convention.

#### AUSTRALIA

"The Government of Australia hereby declares that it recognises, for and on behalf of Australia, the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Australia of any of the rights set forth in the aforesaid Convention."

#### AUSTRIA

"The Republic of Austria recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Austria claiming to be victims of a violation by Austria of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the facts of the case are not being examined or have not been examined under another procedure of

international investigation or settlement. Austria reserves the right to indicate a national body as set forth in Article 14 paragraph 2."

### AZERBAIJAN

"In accordance with article 14, paragraph 1, of the International Convention on the Elimination of All forms of Racial Discrimination, the Government of the Republic of Azerbaijan declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the above-mentioned Convention."

### BELGIUM

Belgium recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the aforementioned Convention, to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Belgium of any of the rights set forth in the Convention.

Pursuant to article 14, paragraph 2, of the Convention, the Centre pour l'Egalité des Chances et la Lutte contre le Racisme (Centre for Equal Opportunity and the Struggle against Racism), established by the Act of 15 February 1993, has been designated as competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Belgium who claim to be victims of a violation of any of the rights set forth in the Convention.

Pursuant to article 14, paragraph 2, of the Convention, the Centre pour l'Egalité des Chances et la Lutte contre le Racisme (Centre for Equal Opportunity and the Struggle against Racism), established by the Act of 15 February 1993, has been designated as competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Belgium who claim to be victims of a violation of any of the rights set forth in the Convention.

### BOLIVIA (PLURINATIONAL STATE OF)

"The Government of Bolivia recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination, in compliance with article 14 of the Convention."

### BRAZIL

.....the Federative Republic of Brazil recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider complaints of human rights violations, as provided for under article XIV of the International Convention on the Elimination of All Forms of Racial Discrimination, which was opened for signature in New York on 7th of March 1966.

### BULGARIA

"The Republic of Bulgaria declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Bulgaria of any of the rights set forth in this Convention."

### CHILE

In accordance with article 14 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government of Chile declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Government of Chile of any of the rights set forth in this Convention.

### COLOMBIA

… I declare on behalf of the Republic of Colombia that we recognize the subsidiary competence of the Committee to receive and consider communications from individuals or groups of individuals, within our jurisdiction, who claim that they are victims of violations by the State of any of the rights set forth in the Convention, and that they have exhausted available local remedies.

I also reiterate the firm commitment of the Colombian State to the fight against racism and racial discrimination, as well as its support and recognition of the work of the Committee, as a body of experts that monitors the implementation of the Convention and works to act against the injustice of racial discrimination and the dangers it represents.

### COSTA RICA

Costa Rica recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 8 of the Convention on the Elimination of All Forms of Racial Discrimination, in accordance with article 14 of the Convention, to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the State of any of the rights set forth in the Convention.

### CYPRUS

"The Republic of Cyprus recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 14 (1) of [the Convention] to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Cyprus of any of the rights set forth in this Convention.

### CZECH REPUBLIC

The Czech Republic declares that according to Article 14, paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination.

### DENMARK

Denmark recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within Danish jurisdiction claiming to be victims of a violation by Denmark of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communications unless it has ascertained that the same matter has not been, and is

not being, examined under another procedure of international investigation or settlement.

### ECUADOR

The State of Ecuador, by virtue of Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of the rights set forth in the above-mentioned Convention.

### EL SALVADOR

… the Government of the Republic of El Salvador recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of a State Party who claim to be victims of violations by that State of any of the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination, as provided for in article 14 of the said Convention.

### ESTONIA

“The Republic of Estonia declares that pursuant to Article 14 paragraph 1 of the Convention it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Estonia claiming to be victims of a violation by Estonia of any of the rights set forth in the Convention if this violation results from circumstances or events occurring after the deposit of this Declaration.

Estonia recognizes that competence on the understanding that the Committee on the Elimination of Racial Discrimination shall not consider any communications without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement.”

### FINLAND

"Finland recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Finland claiming to be victims of a violation by Finland of any of the rights set forth in the said Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement."

### FRANCE

[The Government of the French Republic declares], in accordance with article 14 of the International Convention on the Elimination of all Forms of Racial Discrimination opened for signature on 7 March 1966, [that it] recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within French jurisdiction that either by reason of acts or omissions, events or deeds occurring after 15 August 1982, or by reason of a decision concerning the acts or omissions, events or deeds after the said date, would complain of being victims of a violation, by the French Republic, of one of the rights mentioned in the Convention.

### GEORGIA

"In accordance with Article 14, Paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination done at New York on March 7, 1966 Georgia recognizes the competence of the Committee for the elimination of racial discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation, by Georgia, of any of the rights set forth in the abovementioned Convention."

### GERMANY

The Federal Republic of Germany hereby declares that pursuant to Article 14 paragraph 1 of the Convention it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within her jurisdiction claiming to be victims of a violation by the Federal Republic of Germany of any of the rights set forth in this Convention. However, this shall only apply insofar as the Committee has determined that the same matter is not being or has not been examined under another procedure of international investigation or settlement.

### HUNGARY

"The Hungarian People's Republic hereby recognizes the competence of the Committee established by the International Convention on the Elimination of All Forms of Racial Discrimination provided for in paragraph 1 of article 14 of the Convention."

### ICELAND

“[The Government of Iceland declares] in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination which was opened for signature in New York on 7 March 1966, that Iceland recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Iceland claiming to be victims of a violation by Iceland of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement."

### IRELAND

“With reference to article 14, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966, Ireland recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the afore-mentioned Convention to receive and consider communications from individuals or groups of individuals within Ireland claiming to be victims of a violation by Ireland of any of the rights set forth in the Convention.

Ireland recognizes that competence on the understanding that the said Committee shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement.”

### ITALY

With reference to article 14, paragraph 1, of the International Convention on the Elimination of All Forms

of Racial Discrimination, opened for signature at New York on 7 March 1966, the Government of the Italian Republic recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the afore-mentioned Convention, to receive and consider communications from individuals or groups of individuals within Italian jurisdiction claiming to be victims of a violation by Italy of any of the rights set forth in the Convention.

The Government of the Italian Republic recognizes that competence on the understanding that the Committee on the Elimination of Racial Discrimination shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement.

### KAZAKHSTAN

"In accordance with article 14, paragraph 1, of the International convention on the elimination of all forms of racial discrimination done at New York on December 21, 1965 the Republic of Kazakhstan hereby declares that it recognizes the competence of the Committee of elimination of racial discrimination within its jurisdiction to receive and consider communications from or on behalf of individuals who claim to be victims of a violation by the Republic of Kazakhstan of the provisions of the Convention."

### LIECHTENSTEIN

".....the Principality of Liechtenstein recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Liechtenstein claiming to be victims of a violation by Liechtenstein of any of the rights set forth in the Convention.

The Principality of Liechtenstein recognizes that competence on the understanding that the said Committee shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered under another international procedure of investigation or settlement.

Pursuant to article 14, paragraph 2, of the Convention, the Constitutional Court has been designated as competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Liechtenstein who claim to be victims of a violation of any of the rights set forth in the Convention."

### LUXEMBOURG

Pursuant to article 14 (1) of the [said Convention], Luxembourg declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Luxembourg of any of the rights set forth in the Convention.

Pursuant to article 14 (2) of the [said Convention], the "Commission spéciale permanente contre la discrimination", created in May 1996 pursuant to article 24 of the Law dated 27 July 1993 on the integration of aliens shall be competent to receive and consider petitions from individuals and groups of individuals within the jurisdiction of Luxembourg who claim to be victims of a violation of any of the rights set forth in the Convention.

### MALTA

Malta declares that it recognizes the competence of the Committee to receive and consider communications from individuals subject to the jurisdiction of Malta who claim to be victims of a violation by Malta of any of the rights set forth in the Convention which results from situations or events occurring after the date of adoption of the present declaration, or from a decision relating to situations or events occurring after that date.

The Government of Malta recognizes this competence on the understanding that the Committee on the Elimination of All Forms of Racial Discrimination shall not consider any communication without ascertaining that the same matter is not being considered or has not already been considered by another international body of investigation or settlement."

### MEXICO

The United Mexican States recognizes as duly binding the competence of the Committee on the Elimination of Racial Discrimination, established by article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the United Nations General Assembly in its resolution 2106 (XX) of 21 December 1965 and opened for signature on 7 March 1966.

The United Mexican States declares, pursuant to article 14 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State of any of the rights stipulated in the Convention.

Accordingly, in exercise of the power vested in me under article 89, subparagraph X, of the Political Constitution of the United Mexican States and in accordance with article 5 of the Conclusion of Treaties Act, I hereby issue this instrument of acceptance, the Declaration on Recognition of the Competence of the Committee on the Elimination of Racial Discrimination, as set out in the Declaration adopted by the Senate of the Distinguished Congress of the Union, and promise, on behalf of the Mexican Nation, to implement it, uphold it and ensure that it is implemented and upheld.

### MONACO

We hereby declare that we recognize the competence of the Committee on the Elimination of Racial Discrimination to receive and examine communications from individuals or groups of individuals under its jurisdiction who claim to be victims of a violation by the Principality of Monaco of any of the rights set forth in the said Convention, such competence to be exercised only when all domestic remedies have been exhausted, and we pledge our word as Prince and promise, on behalf of ourselves and our successors, to observe and execute it faithfully and loyally.

### MONTENEGRO

"By affirming its commitment to establish the principles of the rule of law and promote and protect human rights, the Government of the Federal Republic of Yugoslavia recognizes the competence of the Committee on the elimination of Racial Discrimination to receive and consider complaints submitted by individuals and groups alleging violations of rights guaranteed under the International Convention on the Elimination of All Forms of Racial Discrimination.

The Government of the Federal Republic of Yugoslavia determines the competence of the Federal Constitutional Court to accept and consider, within its domestic legal system, the complaints submitted by individuals and groups under the State jurisdiction, alleging to have been victims of rights violations under the Convention, and who have exhausted all available legal means provided for by the national legislation."

### MOROCCO

In accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government of the Kingdom of Morocco declares that it recognizes, on the date of deposit of the present document, the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation, subsequent to the date of deposit of the present document, of any of the rights set forth in this Convention.

### NETHERLANDS (KINGDOM OF THE)

In accordance with article 14, paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination concluded at New York on 7 March 1966, the Kingdom of the Netherlands recognizes, for the Kingdom in Europe, Surinam and the Netherlands Antilles, the competence of the Committee for the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation, by the Kingdom of the Netherlands, of any of the rights set forth in the above-mentioned Convention.

See also notes 1 and 2 under "Netherlands" regarding Aruba/Netherlands Antilles in the "Historical Information" section (click on the tab "Status of Treaties" and then on "Historical Information")..

### NORTH MACEDONIA

“The Republic of Macedonia declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communcations from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Macedonia of any of its rights set forth in this Convention, with the reservation that the Committee shall not consider any communication from individuals or groups of individuals, unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement."

### NORWAY

"The Norwegian Government recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Norway claiming to be victims of a violation by Norway of any of the rights set forth in the International Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination according to article 14 of the said Convention, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement."

### PANAMA

… the Republic of Panama recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of violations by the Republic of Panama of any of the rights set forth in the referred Convention.

### PERU

[The Government of the Republic of Peru declares] that, in accordance with its policy of full respect for human rights and fundamental freedoms, without distinctions as to race, sex, language or religion, and with the aim of strengthening the international instruments on the subject, Peru recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction, who claim to be victims of violations of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination, in conformity with the provisions of article 14 of the Convention.

### POLAND

The Government of the Republic of Poland recognizes the competence of the Committee on the Elimination of Racial Discrimination, established by the provisions of the afore-mentioned Convention, to receive and consider communications from individuals or groups of individuals within jurisdiction of the Republic of Poland claiming, to be victims of a violation by the Republic of Poland of the rights set forth in the above Convention and concerning all deeds, decisions and facts which will occur after the day this Declaration has been deposited with the Secretary-General of the United Nations.

### PORTUGAL

".....The Government of Portugal recognises the competence of the Committee established under Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Portugal of any of the rights set forth in that Convention.

Portugal recognises such jurisdiction provided that the Committee does not consider any communication unless it is satisfied that the matter has neither been examined nor is it subject to appreciation by any other international body with powers of inquiry or decision.

Portugal indicates the High Commissioner for Immigration and Ethnic Minorities as the body with competence to receive and consider petitions from individuals and groups of individuals that claim to be victims of violation of any of the rights set forth in the Convention".

### REPUBLIC OF KOREA

"The Government of the Republic of Korea recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of the Republic of Korea claiming to be victims of a violation by the Republic of Korea of any of the rights set forth in the said Convention."

### REPUBLIC OF MOLDOVA

“According to Article 14, paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Republic of Moldova recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of the Republic of Moldova claiming to be victims of a violation by the Republic of Moldova of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication unless it has ascertained that the same matter is not being examined or has not

been examined under another procedure of international investigation or settlement."

[T]he Government decides:

1. To designate the Bureau of Inter-Ethnic Relations as the body responsible for the submission of the Moldovan Government's comments on communications from individuals and groups of individuals concerning the Republic of Moldova addressed to the United Nations Committee on the Elimination of Racial Discrimination.

2. The Bureau of Inter-Ethnic Relations shall keep official records in accordance with this decision.

3. The Ministry of Foreign Affairs and European Integration shall inform the depositary of the designation of the competent body.

### ROMANIA

"Romania declares, in accordance with article 14 paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from persons within its jurisdiction claiming to be victims of a violation by Romania of any of the rights set forth in the Convention, to which Romania acceded by Decree no. 345 of 1970.

Without prejudice to the article 14 paragraphs 1 and 2 of the International Convention on the Elimination of All Forms of Racial Discrimination, Romania considers that the mentioned provisions do not confer to the Committee on the Elimination of Racial Discrimination the competence of examining communications of persons invoking the existence and infringement of collective rights.

The body which is competent in Romania, according to domestic law, to receive and to examine communications in accordance with article 14 paragraph 2 of the International Convention on the Elimination of All Forms of Racial Discrimination is the National Council for Combating Discrimination established by the Government Decision no. 1194 of 2001."

### RUSSIAN FEDERATION

The Union of Soviet Socialist Republics declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications, in respect of situations and events occurring after the adoption of the present declaration, from individuals or groups of individuals within the jurisdiction of the USSR claiming to be victims of a violation by the USSR of any of the rights set forth in the Convention.

### SAN MARINO

The Republic of San Marino, in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of San Marino of any of the rights set forth in the Convention.

### SENEGAL

In accordance with [article 14], the Government of Senegal declares that it recognizes the competence of the Committee (on the Elimination of Racial Discrimination) to receive and consider communications from individuals within its jurisdiction claiming to be victims of a violation by Senegal of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination.

### SERBIA

"By affirming its commitment to establish the principles of the rule of law and promote and protect human rights, the Government of the Federal Republic of Yugoslavia recognizes the competence of the Committee on the elimination of Racial Discrimination to receive and consider complaints submitted by individuals and groups alleging violations of rights guaranteed under the International Convention on the Elimination of All Forms of Racial Discrimination.

The Government of the Federal Republic of Yugoslavia determines the competence of the Federal Constitutional Court to accept and consider, within its domestic legal system, the complaints submitted by individuals and groups under the State jurisdiction, alleging to have been victims of rights violations under the Convention, and who have exhausted all available legal means provided for by the national legislation."

### SLOVAKIA

The Slovak Republic, pursuant to article 14 of the Convention, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the Convention.

### SLOVENIA

"The Republic of Slovenia recognizes to the Committee on the Elimination of Racial Discrimination competence to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Slovenia of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communications unless it has ascertained that the same matter has not been, and is not being, examined under another procedure of international investigation or settlement."

### SOUTH AFRICA

"The Republic of South Africa-

(a) declares that, for the purposes of paragraph 1 of article 14 of the Convention, it recognises the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the Republic's jurisdiction claiming to be victims of a violation by the Republic in any of the rights set forth in the Convention after having exhausted all domestic remedies

and

(b) indicates that, for the purposes of paragraph 2 of article 14 of the Convention, the South African Human Rights Commission is the body within the Republic's national legal order which shall be competent to receive and consider petitions from individuals or groups of individuals within the Republic's jurisdiction who claim to be victims of any of the rights set forth in the Convention."

### SPAIN

[The Government of Spain] recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Spain claiming to be victims of violations by the Spanish State of any of the rights set forth in that Convention.

Such competence shall be accepted only after appeals to national jurisdiction bodies have been exhausted, and it must be exercised within three months following the date of the final judicial decision.

### STATE OF PALESTINE

"… the Government of the State of Palestine makes the following declaration in relation to article 14 and recognizes the competence of the Committee to receive and consider communications from individuals and groups of individuals within its jurisdiction claiming to be victims of violation by State of Palestine of any rights set forth in this Convention, and who have exhausted all available legal means provided for by the national legislation.

State of Palestine indicates the Independent Commission for Human Rights as the body with the competence to receive and consider complaints from individuals and groups that claim to be victims of violations of any rights set forth in the Convention."

### SWEDEN

"Sweden recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Sweden claiming to be victims of a violation by Sweden of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement."

### SWITZERLAND

... .Switzerland recognizes, pursuant to article 14, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, concluded at New York on 21 December 1965, the competence of the Committee on the Elimination of Racial Discrimination (CERD) to receive and consider communications under the above-mentioned provision, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

### TOGO

Expressing its determination to maintain the rule of law, to defend and protect human rights and in accordance with Article 14, the Government the Republic of Togo declares that it recognizes the competence of the Committee on the Elimination of Discrimination to receive and consider communications from individuals within its jurisdiction claiming to be victims of a violation by the Republic of Togo, of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination.

### UKRAINE

In accordance with the article 14 of the International Convention on the Elimination of All forms of Racial Discrimination, Ukraine declares that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals [within its jurisdiction] claiming to be victims of a violation by [it] of any of the rights set forth in the Convention.

### URUGUAY

The Government of Uruguay recognizes the competence of the Committee on the Elimination of Racial Discrimination, under article 14 of the Convention.

### VENEZUELA (BOLIVARIAN REPUBLIC OF)

Pursuant to the provisions of article 14, paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government of the Bolivarian Republic of Venezuela recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 8 of the Convention to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of violations by the Bolivarian Republic of Venezuela of any of the rights set forth in the Convention.

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***Notes:***

[1] Article 19 of the Convention provides that the Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession. On 5 December 1968, the Government of Poland deposited the twenty-seventh instrument. However, among those instruments there were some which contained a reservation and therefore were subject to the provisions of article 20 of the Convention allowing States to notify objections within ninety days from the date of circulation by the Secretary-General of the reservations. In respect of two such instruments, namely those of Kuwait and Spain, the ninety-day period had not yet expired on the date of deposit of the twenty-seventh instrument. The reservation contained in one further instrument, that of India, had not yet been circulated on that date, and the twenty-seventh instrument itself, that of Poland, contained a reservation; in respect of these two instruments the ninety-day period would only begin to run on the date of the Secretary-General's notification of their deposit. Therefore, in that notification, which was dated 13 December 1968, the Secretary-General called the attention of the interested States to the situation and stated the following:

"It appears from the provisions of article 20 of the Convention that it would not be possible to determine the legal effect of the four instruments in question pending the expiry of the respective periods of time mentioned in the preceding paragraph.

Having regard to the above-mentioned consideration, the Secretary-General is not at the present time in a position to ascertain the date of entry into force of the Convention."

Subsequently, in a notification dated 17 March 1969, the Secretary-General informed the interested States; (a) that within the period of ninety days from the date of his previous notification he had received an objection from one State to the reservation contained in the instrument of ratification by the Government of India; and (b) that the Convention, in accordance with paragraph 1 of article 19, had entered into force on 4

January 1969, i.e., on the thirtieth day after the date of deposit of the instrument of ratification of the Convention by the Government of Poland, which was the twenty-seventh instrument of ratification or instrument of accession deposited with the Secretary-General.

[2] *Official Records of the General Assembly, Twentieth Session, Supplement No. 14* (A/6014),p. 47.

[3] The German Democratic Republic had acceded to the Convention on 23 March 1973 with a reservation and a declaration. For the text of the reservation and declaration, see United Nations, *Treaty Series* , vol. 883, p. 190.

Moreover, on 26 April 1984, the Government of the German Democratic Republic had made an objection with regard to the ratification made by the Government of the Democratic Kampuchea. For the text of the objection, see United Nations, *Treaty Series* , vol. 1355, p. 327.

See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

[4] The former Yugoslavia had signed and ratified the Convention on 15 April 1966 and 2 October 1967, respectively. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section (click on the tab "Status of Treaties" and then on "Historical Information").

[5] On 10 June 1997, the Secretary-General received communications concerning the status of Hong Kong from the Governments of the United Kingdom and China (see also note 2 under “China” and note 2 under “United Kingdom of Great Britain and Northern Ireland” regarding Hong Kong in the “Historical Information” section (click on the tab "Status of Treaties" and then on "Historical Information"). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Hong Kong special Administrative Region.

In addition, the notification made by the Government of China contained the following declarations:

1. ...

2. The reservation of the People's Republic of China on behalf of the the Hong Kong Special Administrative Region interprets the requirement in article 6 concerning "reparation and satisfaction" as being fulfilled if one or other of these forms of redress is made available and interprets "satisfaction" as including any form of redress effective to bring the discriminatory conduct to an end.

[6] The Convention had previously been signed and ratified on behalf of the Republic of China on 31 March 1966 and 10 December 1970, respectively. See also note 1 under "China" in the "Historical Information" (click on the tab "Status of Treaties" and then on "Historical Information").

With reference to the above-mentioned signature and/or ratification, communications have been received by the Secretary-General from the Governments of Bulgaria (12 March 1971), Mongolia (11 January 1971), the Byelorussian Soviet Socialist Republic (9 June 1971), the Ukrainian Soviet Socialist Republic (21 April 1971) and the Union of Soviet Socialist Republics (18 January 1971) stating that they considered the said signature and/or ratification as null and void, since the so-called "Government of China" had no right to speak or assume obligations on behalf of China, there being only one Chinese State, the People's Republic of China, and one Government entitled to represent it, the Government of the People's Republic of China.

In letters addressed to the Secretary-General in regard to the above-mentioned communications, the Permanent Representative of China to the United Nations stated that the Republic of China, a sovereign State and Member of the United Nations, had attended the twentieth regular session of the United Nations General Assembly, contributed to the formulation of the Convention concerned, signed the Convention and duly deposited the instrument of ratification thereof, and that "any statements and reservations relating to the above-mentioned Convention that are incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China under this Convention".

Finally, upon depositing its instrument of accession, the Government of the People's Republic of China made the following declaration: The signing and ratification of the said Convention by the Taiwan authorities in the name of China are illegal and null and void.

[7] On 27 April 1999, the Government of Portugal informed the Secretary-General that the Convention would apply to Macao.

Subsequently, the Secretary-General received communications concerning the status of Macao from Portugal and China (see note 3 under “China” and note 1 under “Portgual” in the Historical Information section in the front matter of this volume). Upon resuming the exercise of sovereignty over Macao, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Macao Special Administrative Region.

[8] The Convention had previously been signed and ratified on behalf of the Republic of China on 31 March 1966 and 10 December 1970, respectively. See also note 1 under "China" in the "Historical Information" section in the front matter of this volume.

With reference to the above-mentioned signature and/or ratification, communications have been received by the Secretary-General from the Governments of Bulgaria (12 march 1971), Mongolia (11 January 1971), the Byelorussian Soviet Socialist Republic (9 June 1971), the Ukrainian Soviet Socialist Republic (21 April 1971) and the Union of Soviet Socialist Republics (18 January 1971) stating that they considered the said signature and/or ratification as null and void, since the so-called "Government of China" had no right to speak or assume obligations on behalf of China, there being only one Chinese State, the People's Republic of China, and one Government entitled to represent it, the Government of the People's Republic of China.

In letters addressed to teh Secretary-General in regard to the above-mentioned communications, the Permanent

Representative of China to the United Nations stated that the Republic of China, a sovereign State and Member of the United Nations, had attended the twentieth regular session of hte United Nations General Assembly, contributed to the formulation of the Convention concerned, signed the Convention and duly deposited the instrument of ratification thereof, and that "any statements and reservations relating to the abocve-mentioned Convention that are incmopatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no wa affect the rights and obligations of the Republic of China under this Convention".

Finally, upon depositing its instrument of accession, the Government of the People's Republic of China made the following declaration: The signing and ratification of the said Convention by the Taiwan authorities in the name of China are illegal and null and void.

[9] Czechoslovakia had signed and ratified the Convention on 7 October 1966 and 29 December 1966, respectively, with reservations. Subsequently, on 12 March 1984, the Government of Czechoslovakia made an objection to the ratification by Democratic Kampuchea. Further, by a notification received on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation to article 22 made upon signature and confirmed upon ratification. For the text of the reservations and the objection, see United Nations, *Treaty Series* , vol. 660, p. 276 and vol. 1350, p. 386, respectively. See also note 14 in this chapter and note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume.

[10] In a communication received on 4 October 1972, the Government of Denmark notified the Secretary-General that it withdrew the reservation made with regard to the implementation on the Faroe Islands of the Convention. For the text of the reservation see United Nations, *Treaty Series* , vol. 820, p. 457.

The legislation by which the Convention has been implemented on the Faroe Islands entered into force by 1 November 1972, from which date the withdrawal of the above reservation became effective.

[11] See note 1 under “Germany” regarding Berlin (West) in the “Historical Information” section (click on the tab "Status of Treaties" and then on "Historical Information").

[12] See note 1 under "Montenegro" in the "Historical Information" section (click on the tab "Status of Treaties" and then on "Historical Information").

[13] See note 1 under “Namibia” in the “Historical Information” section (click on the tab "Status of Treaties" and then on "Historical Information").

[14] See note 1 under "New Zealand" regarding Tokelau in the "Historical Information" section in the preliminary pages in the front matter of this volume.

[15] On 7 October 2016, the Government of Thailand notified the Secretary-General of the withdrawal of the reservation to article 4 made upon accession to the Convention. The text of the reservation read as follows:

"The Kingdom of Thailand interprets Article 4 of the Convention as requiring a party to the Convention to adopt measures in the fields covered by subparagraphs (a), (b) and (c) of that article only where it is considered that the need arises to enact such legislation."

[16] In its instrument of ratification, the Government of the United Kingdom specified that the ratification also applied to the following territories: Associated States (Antigua, Dominica, Grenada, Saint Christopher Nevis Anguilla and Saint Lucia) and Territories under the territorial sovereignty of the United Kingdom, as well as the State of Brunei, the Kingdom of Tonga and the British Solomon Islands Protectorate.

[17] The Yemen Arab Republic had acceded to the Convention on 6 April 1989 with the following reservation:

*Reservations in respect of article 5 (c) and article 5 (d) (iv), (vi) and (vii).*

In this regard, the Secretary-General received on 30 April 1990, from the Government of Czechoslovakia the following objection:

"The Czech and Slovak Federal Republic considers the reservations of the Government of Yemen with respect to article 5 (c) and articles 5 (d) (iv), (vi), and (vii) of [the Convention], as incompatible with the object and purpose of this Convention."

See also note 1 under “Yemen” in the “Historical Information” (click on the tab "Status of Treaties" and then on "Historical Information").

[18] In a communication received by the Secretary-General on 10 July 1969, the Government of Israel declared:

"[The Government of Israel] has noted the political character of the declaration made by the Government of Iraq on signing the above Convention.

In the view of the Government of Israel, the Convention is not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity. Moreover, it is the view of the Government of Israel that no legal relevance can be attached to those Iraqi statements which purport to represent the views of the other States".

Except for the omission of the last sentence, identical communica- tions in essence, *mutatis mutandis* , were received by the Secretary-General from the Government of Israel as follows: on 29 December 1966 in respect of the declaration made by the Government of the United Arab Republic upon signature (see also note 17); on 16 August 1968 in respect of the declaration made by the Government of Libya upon accession; on 12 December 1968 in respect of the declaration made by the Government of Kuwait upon accession; on 9 July 1969 in respect of the declaration made by the Government of Syria upon accession; on 21 April 1970 made in respect of the declaration made by Government of Iraq upon ratification with the following statement: "With regard to the political declaration in the guise of a reservation made on the occasion of the ratification of the above Treaty, the Government of Israel wishes to refer to its objection circulated by the Secretary-General in his letter [. . .] and to maintain that objection."; on 12 February 1973

in respect of the declaration made by the Government of the People's Democratic Republic of Yemen upon accession; on 25 September 1974 in respect of the declaration made by the United Arab Emirates upon accession and on 25 June 1990 in rthe reservation made by Bahrain upon accession.

[19] On 8 July 2021, the Government of Bahrain notified the Secretary-General of its withdrawal of the following reservation made upon accession:

"[T]he accession by the State of Bahrain to the said Convention shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith."

[20] In communications received on 8 March, 19 and 20 April 1989, the Governments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, respectively, notified the Secretary-General that they had decided to withdraw the reservations relating to article 22. For the texts of the reservations, see United Nations, *Treaty Series* , vol. 676, p. 397, vol. 81, p. 392 and vol.77, p. 435.

[21] On 24 June 1992, the Government of Bulgaria notified the Secretary-General its decision to withdraw the reservation to article 22 made upon signature and confirmed upon ratification. For the text of the reservation, see United Nations, *Treaty Series* , vol. 60, p. 270.

[22] None of the States concerned having objected to the reservation by the end of a period of ninety days after the date when it was circulated by the Secretary-General, the said reservation is deemed to have been permitted in accordance with the provisions of article 20 (1).

[23] In a notification received on 18 January 1980, the Government of Egypt informed the Secretary-General that it had decided to withdraw the declaration it had made in respect of Israel. For the text of the declaration see United Nations, *Treaty Series* , vol. 60, p. 318. The notification indicates 25 January 1980 as the effective date of the withdrawal.

[24] In a communication received in 10 August 2012, the Government of Fiji notified the Secretary-General of the withdrawal of the reservations and declarations made upon sucession to the Convention. The text of the reservations and declarations read as follows:

The reservation and declarations formulated by the Government of the United Kingdom on behalf of Fiji are affirmed but have been redrafted in the following terms:

"To the extent, if any, that any law relating to elections in Fiji may not fulfil the obligations referred to in article 5 (c), that any law relating to land in Fiji which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), or that the school system of Fiji may not fulfil the obligations referred to in articles 2, 3, or 5 (e) (v), the Government of Fiji reserves the right not to implement the aforementioned provisions of the Convention.

"The Government of Fiji wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of Article 4.

Further, the Government of Fiji interprets the requirement in article 6 concerning `reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available and interprets `satisfaction' as including any form of redress effective to bring the discriminatory conduct to an and. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a Party to the Convention.

"The Government of Fiji maintains the view that Article 15 is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories whilst making no comparable provision for States without such territories."

[25] In a communication received subsequently, the Government of France indicated that the first paragraph of the declaration did not purport to limit the obligations under the Convention in respect of the French Government, but only to record the latter's interpretation of article 4 of the Convention.

[26] The Secretary-General received on 7 August 2013 the following communication from the Government of the French Republic:

The Government of the French Republic has examined the declaration formulated by the Government of Grenada at the time of the deposit of its instrument of ratification of the International Convention on the Elimination of All Forms of Racial Discrimination of 7 March 1966. The Government of the French Republic takes note of this ratification. It regrets, however, that the declaration made by Grenada, which constitutes a reservation, gives rise to a restriction on the international obligations accepted by Grenada under the Convention and to legal uncertainty. The reservation has indeed a general and indeterminate scope, since its aim is to subordinate the implementation of Grenada’s obligations under the Convention to respect for its domestic law, with no indication of which provisions are concerned. The States Parties to the Convention cannot, therefore, assess the scope of the reservation. By the present declaration, however, the Government of the French Republic does not oppose Grenada becoming a party to the Convention.

[27] In a communication received on 13 September 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw the reservation in respect to article 22 of the Convention made upon ratification. For the text of the reservation, see United Nations, *Treaty Series* , vol. 60, p. 310.

[28] In a communication received on 24 February 1969, the Government of Pakistan notified the Secretary-General that it "has decided not to accept the reservation made by the Government of India in her instrument of ratification".

[29] In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw the reservation concerning article 22 made upon ratification. For the text of the reservation see United Nations, *Treaty Series* , vol. 60, p. 289.

[30] On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 22 of the Convention made upon ratification. For the text of the reservation see United Nations, *Treaty Series* , vol. 660, p. 195.

[31] On 19 August 1998, the Government of Romania notified the Secretary-General that it had decided to withdraw its reservation made with regard to article 22 of the Convention made upon accession. For the text of the reservation, see United Nations, *Treaty Series* , vol. 763, p. 362.

[32] In a communication received in 15 December 2008, the Government of Rwanda notified the Secretary-General of the withdrawal of the reservation made upon accession to the Convention. The text of the reservation reads as follows:

The Rwandese Republic does not consider itself as bound by article 22 of the Convention.

[33] On 22 October 1999, the Government of Spain informed the Secretary-General that it had decided to withdraw its reservation in respect of article XXII made upon accession. For the texte of the reservation, see United Nations, *Treaty Series* , vol. 660, p. 316.

[34] By a notification received on 28 October 1977, the Government of Tonga informed the Secretary-General that it has decided to withdraw only those reservations made upon accession relating to article 5 (c) in so far as it relates to elections, and reservations relating to articles 2, 3 and 5 (e) (v), in so far as these articles relate to education and training. For the text of the original reservation see United Nations, *Treaty Series* , vol. 829, p. 371.

[35] The first ten declarations recognizing the competence of the Committee on the Elimination of Racial Discrimination took effect on 3 December 1982, date of the deposit of the tenth declaration, according to article 14, paragraph 1 of the Convention.