

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

---

---

JAARGANG 1983 Nr. 31

---

---

A. TITEL

*Internationaal Verdrag inzake de uitbanning van alle vormen van rassendiscriminatie;  
New York, 7 maart 1966*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1966, 237. Zie voor de ondertekeningen ook *Trb.* 1967, 48 en *Trb.* 1972, 38<sup>1)</sup>.

In overeenstemming met artikel 17, eerste lid, is het Verdrag voorts nog ondertekend voor:

Turkije . . . . .	13 oktober 1972
Haïti . . . . .	30 oktober 1972
Bhoetan . . . . .	26 maart 1973
Korea . . . . .	8 augustus 1978
Grenada . . . . .	17 december 1981

---

<sup>1)</sup> De Regering van Egypte heeft op 18 januari 1980 medegedeeld, dat zij de verklaring ten aanzien van Israël, gedaan bij de ondertekening en bevestigd bij de bekrachtiging van het Verdrag op 1 mei 1967, met ingang van 25 januari 1980 intrekt.

C. VERTALING

Zie *Trb.* 1967, 48.

D. PARLEMENT

Zie *Trb.* 1972, 38.

## E. BEKRACHTIGING

Zie *Trb.* 1966, 237, *Trb.* 1967, 48 en *Trb.* 1972, 38<sup>1)</sup>.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel 17, tweede lid, van het Verdrag een akte van bekrachtiging nedergelegd bij de Secretaris-Generaal van de Verenigde Naties:

Zambia	4 februari 1972
Algerije	14 februari 1972
Cuba <sup>2)</sup>	15 februari 1972
Senegal	19 april 1972
Oostenrijk <sup>3)</sup>	9 mei 1972
Nieuw-Zeeland	22 november 1972
Haïti	19 december 1972
Trinidad en Tobago	4 oktober 1973
Mexico	20 februari 1975
België <sup>4)</sup>	7 augustus 1975
Somalië	26 augustus 1975
Australië <sup>5)</sup>	30 september 1975
Italië <sup>6)</sup>	5 januari 1976
Guyana <sup>7)</sup>	15 februari 1977
Guinee	14 maart 1977
Boeroendi	27 oktober 1977
Luxemburg	1 mei 1978
Korea	5 december 1978
Israël <sup>8)</sup>	3 januari 1979
Gabon	29 februari 1980
Colombia	2 september 1981

<sup>1)</sup> De Permanent Vertegenwoordiger van Denemarken bij de Verenigde Naties heeft de Secretaris-Generaal met betrekking tot het bij de bekrachtiging gemaakte voorbehoud ten aanzien van de toepassing van het Verdrag op de Faeroër (vgl. *Trb.* 1972, 38, blz. 8) op 4 oktober 1972 het volgende medegedeeld:

“Acting upon instructions, the Permanent Representative of Denmark has the honour to inform the Secretary-General that the Danish Government withdraws the reservation made with regard to the implementation on the Faroe Islands of the International Convention on the Elimination of All Forms of Racial Discrimination. The legislation by which the Convention has been implemented on the Faroe Islands will enter into force by November 1, 1972, from which date the withdrawal of the above reservation will become effective.”

<sup>2)</sup> Onder het volgende voorbehoud:

“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.” (*VN-vertaling*),

en onder de volgende verklaring:

"*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.*" (VN-vertaling).

<sup>3)</sup> Onder de volgende verklaring:

"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 Australia 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 article 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."

<sup>4)</sup> Onder de volgende verklaring:

"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." (VN-vertaling).

<sup>5)</sup> Onder de volgende verklaring:

"The Government of Australia furthermore 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).”

<sup>6)</sup> Onder bevestiging van de bij de ondertekening van het Verdrag afgelegde verklaringen (vgl. *Trb.* 1972, 38, blz. 3).

<sup>7)</sup> Onder de volgende verklaring:

“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 Convention.”

<sup>8)</sup> Onder het volgende voorbehoud:

“The State of Israel does not consider itself bound by the provisions of Article 22 of the said Convention.”

#### F. TOETREDING

Zie *Trb.* 1972, 38.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel 18, tweede lid, van het Verdrag een akte van toetreding nedergelegd bij de Secretaris-Generaal van de Verenigde Naties:

Tonga <sup>1)</sup> . . . . .	16 februari 1972
Mauritius . . . . .	30 mei 1972
Togo . . . . .	1 september 1972
Zuid-Jemen <sup>2)</sup> . . . . .	18 oktober 1972
Tanzania . . . . .	27 oktober 1972
Barbados <sup>3)</sup> . . . . .	8 november 1972
Ivoorkust . . . . .	4 januari 1973
de Duitse Democratische Republiek <sup>4)</sup> . . . . .	27 maart 1973
Botswana . . . . .	20 februari 1974
Laos . . . . .	22 februari 1974
Jordanië . . . . .	30 mei 1974
de Verenigde Arabische Emiraten <sup>5)</sup> . . . . .	20 juni 1974
Mali . . . . .	16 juli 1974
Boven-Volta . . . . .	18 juli 1974
Rwanda <sup>6)</sup> . . . . .	16 april 1975
Zaire . . . . .	21 april 1976
Ethiopië . . . . .	23 juni 1976
Qatar . . . . .	22 juli 1976
Liberia . . . . .	5 november 1976
Soedan . . . . .	21 maart 1977
Tsjaad . . . . .	17 augustus 1977
Nicaragua . . . . .	15 februari 1978
Seychellen . . . . .	7 maart 1978
Gambia . . . . .	29 december 1978
Bangladesh . . . . .	11 juni 1979
Kaapverdië . . . . .	3 oktober 1979

El Salvador . . . . .	30 november 1979
Oeganda . . . . .	21 november 1980
St. Vincent en de Grenadinen . . . . .	9 november 1981
China <sup>7)</sup> . . . . .	29 november 1981
Papoea Nieuw-Guinea <sup>8)</sup> . . . . .	27 januari 1982
Sri Lanka . . . . .	18 februari 1982
Vietnam <sup>9)</sup> . . . . .	9 juni 1982
Portugal . . . . .	24 augustus 1982
Namibië . . . . .	11 november 1982

(de Raad der Verenigde Naties voor Namibië)

<sup>1)</sup> Onder het volgende voorbehoud:

“To the extent, if any, that any law relating to elections in Tonga may not fulfil the obligations referred to in article 5(c), 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), or that the school system of Tonga may not fulfil the obligations referred to in articles 2, 3, or 5(e) (v), the Kingdom of Tonga reserves the right not to apply the Convention to Tonga.”

en onder de volgende verklaring:

“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 a procedure 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.”

Op 28 oktober 1977 heeft de Regering van Tonga de Secretaris-Generaal van de Verenigde Naties medegedeeld dat zij de voorbehouden betreffende artikel 5, letter c, voorzover zij betrekking hebben op verkiezingen en de voorbehouden

betreffende de artikelen 2, 3 en 5, letter e (v), voorzover zij betrekking hebben op onderwijs en opleiding intrekt.

2) Onder de volgende voorbehouden:

"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 the dispute to the International Court of Justice."

en onder de volgende verklaring:

"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."

De Permanent Vertegenwoordiger van Israël bij de Verenigde Naties heeft op 12 februari 1973 het volgende medegedeeld:

"The Government of Israel has noted the political character of a reservation made by the Government of the People's Democratic Republic of Yemen on that occasion. In the view of the Government of Israel, this Convention is not the proper place for making such political pronouncements. Moreover, that declaration cannot in any way affect the obligations of the People's Democratic Republic of Yemen already existing under general international law or under particular treaties. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of the People's Democratic Republic of Yemen, an attitude of complete reciprocity."

3) Onder het volgende voorbehoud en de volgende interpretatieve verklaring:

"The Constitution of Barbados entrenches 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."

4) Onder het volgende voorbehoud:

"The German Democratic Republic does not consider itself bound by 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 declares 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." (VN-vertaling).

en onder de volgende verklaring:

"The German Democratic Republic deems it necessary to state that article 17, paragraph 1, of the Convention deprives a number of States of the opportunity to become Parties to the Convention. As the Convention regulates matters affecting the interests of all States, it should be open to participation by all States whose policies are guided by the purposes and principles of the Charter of the United Nations." (VN-vertaling).

De Permanent Vertegenwoordiger van de Duitse Democratische Republiek bij de Verenigde Naties heeft op 27 december 1973 het volgende medegedeeld:

"With regard to the application to Berlin (West) of the International Convention on the Elimination of all Forms of Racial Discrimination and in accordance with the Quadripartite Agreement concluded on September 3, 1971 between the governments of the Union of Soviet Socialist Republics, of the United Kingdom of Great Britain and Northern Ireland, of the United States of America and of the French Republic, the German Democratic Republic declares that Berlin (West) is no constituent part of the Federal Republic of Germany and must not be governed by it. For this reason the statement of the Government of the Federal Republic of Germany, according to which this Convention also applies to the "Land Berlin", is in contradiction to the Quadripartite Agreement and cannot produce any validity."

Naar aanleiding van deze verklaring hebben de Permanent Vertegenwoordigers van Frankrijk, het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland en de Verenigde Staten van Amerika, bij de Verenigde Naties op 17 juni 1974 het volgende medegedeeld:

"The Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America wish to bring to the attention of the States Parties to the Convention that the extension of the Convention to the Western Sectors of Berlin received the prior authorisation, under established procedures, of the authorities of France, the United Kingdom and the United States on the basis of their supreme authority in those Sectors.

In a communication to the Government of the Union of Soviet Socialist Republics which is an integral part (Annex IV A) of the Quadripartite Agreement of the 3rd of September 1971 the Governments of France, the United Kingdom and the United States reaffirmed that, provided matters of security and status are not affected, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of France, the United Kingdom and the United States which is similarly an integral part (Annex IV B) of the Quadripartite Agreement of the 3rd of September 1971, affirmed that it would raise no objection to such extension."

Op 15 juli 1974 heeft de Regering van de Bondsrepubliek Duitsland inzake het bovenstaande nog het volgende verklaard:

"The Government of the Federal Republic of Germany shares the position set out in the Note of the Three Powers. The extension of the Convention to Berlin (West) continues in full force and effect."

Op 12 september 1974 heeft de Regering van de Sowjet-Unie het volgende verklaard:

"The Soviet Union shares the view expressed in the communications from the German Democratic Republic concerning the action by the Federal Republic of Germany in extending to "Land Berlin" ... the International Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination. Berlin

(West) has never been a "Land of the Federal Republic of Germany", does not form part of the Federal Republic of Germany and is not governed by it. This fact was reaffirmed and given legal effect in the Quadripartite Agreement of 3 September 1971. The declarations by the Federal Republic of Germany extending international agreements to "Land Berlin" are regarded and will continue to be regarded by the Soviet Union as having no legal effect."

Op 19 september 1974 heeft de Regering van de Oekraïne een verklaring met eenzelfde strekking afgelegd.

Tegen deze verklaringen van de Regeringen van de Sowjet-Unie en van de Oekraïne is op 8 juli 1975 door de Regeringen van Frankrijk, het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland, en de Verenigde Staten van Amerika, bezwaar gemaakt.

De Regering van de Bondsrepubliek Duitsland heeft op 19 september 1975 nog het volgende medegedeeld:

"By their Notes of 8 July 1975, disseminated by Circular Notes ... C.N.189.1975.TREATIES-3, of 13 August 1975, the Governments of France, the United Kingdom and the United States answered the assertions made in the communications referred to above. The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the Notes of the Three Powers wishes to confirm that the application in Berlin (West) of the above-mentioned [instrument] extended by it under the established procedures continues in full force and effect.

The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter."

De Regering van de Sowjet-Unie heeft op 8 december 1975 nogmaals haar standpunt neergelegd in de nota van september 1974 bevestigd.

<sup>5)</sup> Onder de volgende verklaring:

"... 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."

De Permanent Vertegenwoordiger van Israël bij de Verenigde Naties heeft op 25 september 1974 het volgende medegedeeld:

"The instrument of accession by the Government of the United Arab Emirates to the above-mentioned International Convention contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover in flagrant contradiction to the principles, objects and purposes of the Convention in question.

The Government of Israel rejects the said statement as being devoid of any legal validity whatever and will proceed on the assumption that it cannot in any way affect the obligations incumbent on the United Arab Emirates under the said Convention or under any other instrument or by virtue of general international law.

The Government of Israel will, insofar as concerns the substance of the matter adopt towards the Government of the United Arab Emirates an attitude of complete reciprocity."

<sup>6)</sup> Onder een voorbehoud volgens hetwelk zij zich niet gebonden acht door artikel 22 van het Verdrag.

<sup>7)</sup> Onder de volgende verklaring en het volgende voorbehoud:

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



2. The People's Republic of China has reservations on the provisions of article 22 of the Convention and will not be bound by it." (*VN-vertaling*).

8) Onder het volgende voorbehoud:

"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 subparagraphs (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."

9) Onder de volgende verklaring:

"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." (*VN-vertaling*).

en onder het volgende voorbehoud:

"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." (*VN-vertaling*).

### *Verklaringen van voortgezette gebondenheid*

De Regeringen van de volgende Staten hebben de Secretaris-Generaal van de Verenigde Naties medegedeeld zich gebonden te achten aan het Verdrag, dat op hun grondgebied toepasselijk was verklaard vóór zij de onafhankelijkheid verwierven:

Fiji <sup>1)</sup> . . . . .	11 januari 1973
Bahamas <sup>2)</sup> . . . . .	5 augustus 1975
Solomonseilanden . . . . .	17 maart 1982

<sup>1)</sup> Onder de verklaring dat zij het door het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland bij de toepasselijkheidverklaring gemaakte voorbehoud en afgelegde verklaringen bevestigt. De tekst van het voorbehoud en de verklaringen is aangepast en luidt nu als volgt:

"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 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.”

“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.”

2) Onder de volgende verklaring, ter vervanging van de door het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland bij ondertekening en bekrachtiging van het Verdrag afgelegde verklaringen voor wat de Bahama-eilanden betreft:

“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 sub-paragraph (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 obligation to introduce judicial process beyond these prescribed under the Constitution.”

G. INWERKINGTREDING

Zie *Trb.* 1972, 38.

J. GEGEVENS

Zie *Trb.* 1966, 237, *Trb.* 1967, 48 en *Trb.* 1972, 39.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zie ook, laatstelijk, *Trb.* 1981, 174.

Voor het op 25 juni 1958 te Genève tot stand gekomen Verdrag betreffende discriminatie in beroep en beroepsuitoefening (IAO-Verdrag nr. 111) zie ook *Trb.* 1973, 48.

Voor het op 15 december 1960 te Parijs tot stand gekomen Verdrag nopens de bestrijding van discriminatie in het onderwijs zie ook *Trb.* 1972, 134.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof zie ook, laatstelijk, *Trb.* 1979, 36.

*Comité voor de uitbanning van rassendiscriminatie*

De volgende Staten hebben een verklaring als bedoeld in artikel 14, eerste lid, van het Verdrag afgelegd:

Zweden <sup>1)</sup> . . . . .	6 december 1971
het Koninkrijk der Nederlanden . . . . .	10 december 1971
(voor het gehele Koninkrijk)	
Uruguay . . . . .	11 september 1972
Costa Rica . . . . .	8 januari 1974
Noorwegen <sup>2)</sup> . . . . .	23 januari 1976
Ecuador . . . . .	18 maart 1977
Italië <sup>3)</sup> . . . . .	5 mei 1978
IJsland <sup>4)</sup> . . . . .	10 augustus 1981
Frankrijk . . . . .	16 augustus 1982
Senegal . . . . .	3 december 1982

<sup>1)</sup> Onder het voorbehoud dat "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."

<sup>2)</sup> Onder het voorbehoud dat "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."

<sup>3)</sup> Onder de volgende mededeling:

"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.”.

4) Onder het voorbehoud dat “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.”.

In gevolge artikel 14, negende lid, van het Verdrag is het Comité voor de uitbanning van rassendiscriminatie vanaf 3 december 1982 bevoegd om de in genoemd artikel bedoelde functies uit te oefenen.

Uitgegeven de zeventiende februari 1983.

*De Minister van Buitenlandse Zaken,*  
H. VAN DEN BROEK