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HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN  
RIGHTS INSTRUMENTS

Letter dated 21 November 1991 from the Permanent Representative of  
Australia to the United Nations addressed to the Secretary-General

I am enclosing a facsimiled copy of a letter from the Acting Minister for Foreign Affairs and Trade of Australia notifying a request for amendment of article 8, paragraph 6 of the International Convention on the Elimination of All Forms of Racial Discrimination. 1/

I would be grateful if you would have the text of the enclosed letter and its annex circulated as a document of the General Assembly under agenda item 98 (a).

(Signed) Peter WILENSKI

1/ Resolution 2106 A (XX).

Annex

LETTER DATED 21 NOVEMBER 1991 FROM THE ACTING MINISTER  
FOR FOREIGN AFFAIRS AND TRADE OF AUSTRALIA ADDRESSED  
TO THE SECRETARY-GENERAL

I am writing to advise you that the Government of Australia is hereby requesting a revision of the Convention on the Elimination of All Forms of Racial Discrimination, pursuant to article 23 of the Convention.

The Australian proposal is that existing article 8, paragraph 6 of the Convention should be replaced by the following provisions:

"6. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

"7. The members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide."

I note that existing paragraph 6 is the final paragraph of article 8 at present.

The Australian Government's proposals for how this amendment might be considered are attached.

(Signed) Robert RAY

Appendix

ATTACHMENT TO THE LETTER OF 21 NOVEMBER FROM THE ACTING  
MINISTER FOR FOREIGN AFFAIRS AND TRADE OF AUSTRALIA TO  
THE SECRETARY-GENERAL OF THE UNITED NATIONS

The Australian Government proposes, in accordance with article 23 of the International Convention on the Elimination of All Forms of Racial Discrimination, that the States parties to the Convention decide on the procedure for considering the amendment sought to article 8, paragraph 6 of the Convention, including by stipulating the conditions necessary for adoption of an amendment and for its entry into force. This decision could be on the basis that:

- If an amendment is adopted by the majority of States parties present and voting at the meeting, it shall be submitted to the General Assembly for approval, and that, if so adopted, the amendment shall enter into force when it has been approved by the General Assembly and accepted by two thirds of States parties;
- When an amendment enters into force, it shall be binding on those States parties which have accepted it as well as on States parties which ratify or accede to the Convention as amended after the date of entry into force of the amendment and other States parties still being bound by the provisions of the Convention.

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