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DRAFT INTERNATIONAL CONVENTION ON THE ELIMINATION
OF ALL FORMS OF RACIAL DISCRIMINATION

Argentina, Chile, Colombia, Costa Rica, Ecuador, Ghana, Guatemala,
Mauritania, Panama, Peru and Philippines: revised text of
Article XIII of the articles relating to measures of implementation
to be added to the provisions of the draft International Convention
on the Elimination of All Forms of Racial Discrimination
(A/C.3/L.1291/Add.1)

Article XIII

1. A State Party to this Convention may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals claiming to be victims of a violation of any of the rights set forth in this Convention by that State Party. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.
2. Any State Party which makes a declaration provided for in paragraph 1 of the present article may establish or indicate a body within its national legal order which shall be competent to receive and consider petitions from individuals and groups of individuals within its jurisdiction who claim to be victims of a violation of any of the rights set forth in this Convention and who have exhausted other available local remedies.
3. A declaration made in accordance with paragraph 1 of the present article and the name of any body established or indicated in accordance with paragraph 2 of the present article, shall be deposited by the State Party concerned with the Secretary-General of the United Nations, who shall transmit copies thereof to the

States Parties to the Convention. A declaration may be withdrawn at any time by notification to the Secretary-General but such a withdrawal shall not affect communications pending before the Committee.

4. In the event of failure to obtain satisfaction from the body established or indicated in accordance with paragraph 2 of the present article, the petitioner within six months shall have the right to communicate the matter to the Committee. The Committee shall deal with the communication after having ascertained that the provisions of paragraph 2 of the present article have been fulfilled.

5. A register of complaints or alleged violations shall be kept by the body established or indicated in accordance with paragraph 2 of the present article, and certified copies of the register shall be filed through appropriate channels with the Secretary-General on the understanding that the contents shall not be publicly disclosed.

6. The Committee shall not receive anonymous communications. It shall confidentially bring other communications to the attention of the State Party alleged to be violating the Convention, but the identity of the individual or groups of individuals concerned shall not be revealed without his or their express consent.

7. The Committee shall include in its annual report a summary of such communications and, where appropriate, the observations and replies of the State Parties concerned.
