

mittee shall be entitled to attach to it a separate opinion. Any written or oral submission made by the parties to the case shall also be attached to the report.

#### *Article XXVI*

1. The Committee may receive petitions addressed to the Secretary-General of the United Nations from any person or groups of individuals claiming to be the victim of a violation of this Convention by any State Party, or from any non-governmental organization in consultative status with the Economic and Social Council of the United Nations, alleging that a State Party is not giving effect to this Convention, provided that the State Party complained of has declared that it recognizes the competence of the Committee to receive such petitions.

2. The declaration of a State Party mentioned in paragraph 1 of this article may be made in general terms, or for a particular case or for a specific period, and shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties.

3. In considering petitions submitted under this article, the Committee shall be guided as far as possible by the principles and procedures outlined in articles XVII, XVIII and XIX of this Convention.

#### *Article XXVII*

The Committee may recommend to the Economic and Social Council of the United Nations that the Council request the International Court of Justice to give an advisory opinion on any legal question connected with a matter with which the Committee is dealing.

#### *Article XXVIII*

The Committee shall submit to the Economic and Social Council of the United Nations, through the Secretary-General of the United Nations, an annual report on its activities.

#### *Article XXIX*

The States Parties to this Convention agree that any State Party complained of or lodging a complaint may, if no solution has been reached within the terms of article XXV, paragraph 1, bring the case before the International Court of Justice after the report provided for in article XXV, paragraph 3, has been drawn up.

#### *Article XXX*

The provisions of this Convention shall not prevent the States Parties to the Convention from submitting to the International Court of Justice any dispute arising out of the interpretation or application of the Convention in a matter within the competence of the Committee, or from resorting to other procedures for settling the dispute, in accordance with general or special international agreements in force between them.

### **1234 (XLII). Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories**

*The Economic and Social Council,*

*Having considered* the report of the Commission on Human Rights on its twenty-third session,<sup>52</sup>

1. *Notes with satisfaction* the provisions of resolution 5 (XXIII) of the Commission on Human Rights,<sup>53</sup>

2. *Notes* that since the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966, South West Africa is to be designated as the Territory of

South West Africa under the direct responsibility of the United Nations and that wherever reference is made to this Territory in the resolutions adopted by the Commission on Human Rights at its twenty-third session and in its report on that session, it should read accordingly;

3. *Recommends* that the General Assembly continue to encourage all eligible States to sign and ratify forthwith the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenants on Human Rights and the other conventions and protocols which aim at protecting human rights and fundamental freedoms.

*1479th plenary meeting,  
6 June 1967.*

### **1235 (XLII). Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories**

*The Economic and Social Council,*

*Noting* resolutions 8 (XXIII) and 9 (XXIII) of the Commission on Human Rights,<sup>54</sup>

1. *Welcomes* the decision of the Commission on Human Rights to give annual consideration to the item entitled "Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories," without prejudice to the functions and powers of organs already in existence or which may be established within the framework of measures of implementation included in international covenants and conventions on the protection of human rights and fundamental freedoms; and concurs with the requests for assistance addressed to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to the Secretary-General;

2. *Authorizes* the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in conformity with the provisions of paragraph 1 of the Commission's resolution 8 (XXIII), to examine information relevant to gross violations of human rights and fundamental freedoms, as exemplified by the policy of apartheid as practised in the Republic of South Africa and in the Territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of the Republic of South Africa, and to racial discrimination as practised notably in Southern Rhodesia, contained in the communications listed by the Secretary-General pursuant to Economic and Social Council resolution 728 F (XXVIII) of 30 July 1959;

3. *Decides* that the Commission on Human Rights may, in appropriate cases, and after careful consideration of the information thus made available to it, in conformity with the provisions of paragraph 1 above, make a thorough study of situations which reveal a consistent pattern of violations of human rights, as exemplified by the policy of apartheid as practised in

<sup>52</sup> *Ibid.*, Supplement No. 6 (E/4322 and Corr.1).

<sup>53</sup> *Ibid.*, para. 350.

<sup>54</sup> *Ibid.*, paras. 394 and 404.