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Agenda item 89IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE
TO COMBAT RACISM AND RACIAL DISCRIMINATIONGlobal compilation of national legislation against
racial discriminationNote by the Secretary-General

1. The Second World Conference to Combat Racism and Racial Discrimination, held at Geneva from 1 to 12 August 1983, in its Declaration adopted on 12 August 1983, recognized the central importance of national legislation and judicial and administrative action to combat racial discrimination, and the specific value of recourse procedures for the implementation of human rights norms. The Conference adopted on that same day a broad Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, which was approved by the General Assembly in its resolution 38/14 of 22 November 1983 and annexed to that resolution.

2. At the request of the General Assembly, the Secretary-General submitted the following year to the Assembly at its thirty-ninth session a detailed plan of activities for the period 1985-1989 for implementing the Programme of Action for the Second Decade (A/39/167-E/1984/33 and Add.1 and 2), in which it was suggested that the Assembly could consider inviting the Secretary-General to compile and publish a consolidated volume of national laws designed to combat racism and racial discrimination. It was also suggested that the compilation could be presented to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to the Committee on the Elimination of Racial Discrimination for their examination and recommendations, with a view to the further development of such national legislation on a universal basis.

3. In its resolution 39/16 of 23 November 1984, the General Assembly invited the Secretary-General to proceed immediately with the implementation of the activities contained in that plan of activities. The following year the Assembly, in its resolution 40/22 of 29 November 1985, requested the Secretary-General to submit the

global compilation of national legislation against racial discrimination to it at its forty-third session.

4. The Secretary-General submitted to the General Assembly at its forty-third session a report on the global compilation of national legislation against racism and racial discrimination (A/43/637), which described the preparation of the global compilation, gave an overview of the text submitted (under the following headings: Equality and non-discrimination in the enjoyment of human rights; Specific institutions for the promotion of racial tolerance and harmony; Recourse procedures; Remedies; Penalties; and Fight against apartheid) and provided some conclusions on the place of the global compilation in the overall effort to strengthen national legislation against racism and racial discrimination.

5. In order to prepare the global compilation the Secretary-General, on two occasions, had requested relevant information from Governments. The following 44 States responded:

Australia	Malawi
Austria	Mauritius
Bahamas	Mexico
Brazil	Netherlands
Bulgaria	New Zealand
Byelorussian Soviet Socialist Republic	Nigeria
Canada	Norway
China	Pakistan
Colombia	Panama
Cuba	Poland
Cyprus	Portugal
Czechoslovakia	Qatar
Denmark	Spain
Dominica	Trinidad and Tobago
Ecuador	Turkey
El Salvador	Tuvalu
Finland	Ukrainian Soviet Socialist Republic
France	Union of Soviet Socialist Republics
Germany, Federal Republic of	United Arab Emirates
Ghana	United Kingdom of Great Britain and Northern Ireland
Hungary	Venezuela
India	
Iran, Islamic Republic of	

Of those responding States, 34 submitted the text of constitutional or legal provisions, totalling more than 1,200 pages, and 10 responses asked the Secretariat to extract the needed information from a total of 61 reports previously submitted under the International Convention on the Elimination of All Forms of Racial Discrimination.

6. The review and analysis of that material and the selection of appropriate extracts required considerable time, and the resulting compilation, close to

250 pages in length, was completed just prior to the Assembly's forty-third session. The English version of that text was made available to the General Assembly for consultation at that session. However, it was the view of the Secretary-General that given the delicate nature of extracting information from constitutional and legislative texts and the need to reflect the most recent developments, the provisional text should be transmitted to the Governments concerned for any comments or corrections they might wish to make before it was issued as an official document.

7. The Secretary-General transmitted the relevant portions of the provisional text of the compilation to the Governments concerned for their comments or corrections in December 1988, and the responses have been incorporated into the final text.

8. The Secretary-General is proceeding with the publication of the global compilation as an official document of the United Nations. Publication as an official document of the United Nations will ensure that the global compilation is given wide distribution to, for example, law libraries and universities, and that it is listed for order on the list of printed matter available from the United Nations.

9. As the Secretary-General informed the Assembly in the above-mentioned report (A/43/637), the global compilation of legislation against racial discrimination is one element in the Second Decade's overall effort aimed at strengthening the protection against racial discrimination on the national level. Other elements, as mentioned in that report include, on the one hand, the preparation of basic reference texts such as "model legislation", a handbook on recourse procedures and the preparation of a manual of existing national institutions and, on the other hand, steps designed to encourage or facilitate the adoption of those measures, such as training courses for legislative draftsmen, regional workshops on the adoption of legislation, and seminars on community relations commissions and their functions.

10. The global compilation of national legislation against racism and racial discrimination, taken together with the reports of seminars and training courses held on these matters and the information submitted in relation to international instruments in this field, provides a good basis for the preparation of "model texts". It is the Secretary-General's intention to proceed as rapidly as resources permit with the preparation of the "model texts" and with the organization of the seminars or training courses designed to encourage their adoption and implementation.
