

No. 54915*

Multilateral

Inter-American Convention against racism, racial discrimination and related forms of intolerance. Antigua, 5 June 2013

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Authentic texts: *English, French, Portuguese and Spanish*

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Multilatéral

Convention interaméricaine contre le racisme, la discrimination raciale et les formes connexes d'intolérance. Antigua, 5 juin 2013

Entrée en vigueur : *11 novembre 2017, conformément à l'article 20*

Textes authentiques : *anglais, français, portugais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Organisation des États américains, 29 janvier 2018*

Note : *Voir aussi annexe A, No. 54915.*

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Participant

Ratification

Costa Rica

12 Dec 2016

Uruguay

10 Oct 2017

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Ratification	
Costa Rica	12 déc	2016
Uruguay	10 oct	2017

**INTER-AMERICAN CONVENTION AGAINST RACISM,
RACIAL DISCRIMINATION AND RELATED FORMS OF INTOLERANCE**

THE STATES PARTIES TO THIS CONVENTION,

CONSIDERING that the inherent dignity and equality of all members of the human family are basic principles of the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination;

REAFFIRMING the resolute commitment of the member states of the Organization of American States to the complete and unconditional eradication of racism, racial discrimination, and all forms of intolerance, and their conviction that such discriminatory attitudes are a negation of universal values and the inalienable and inalienable rights of the human person and the purposes and principles enshrined in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Social Charter of the Americas, the Inter-American Democratic Charter, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Universal Declaration on the Human Genome and Human Rights;

RECOGNIZING the duty of adopting national and regional measures to promote and encourage respect for and observance of the human rights and fundamental freedoms of all individuals and groups subject to their jurisdiction, without regard to race, color, lineage, or national or ethnic origin;

CONVINCED that the principles of equality and nondiscrimination among human persons are dynamic democratic concepts that foster the promotion of effective legal equality and presuppose an obligation on the State's part to adopt special measures to protect the rights of individuals or groups that may be victims of racial discrimination, in any area of human endeavor, whether public or private, with a view to cultivating equitable conditions for equal opportunity and to combating racial discrimination in all its individual, structural, and institutional manifestations;

AWARE that the phenomenon of racism has a dynamic capacity for renewal that enables it to assume new forms whereby it spreads and expresses itself politically, socially, culturally, and linguistically;

TAKING INTO ACCOUNT that the victims of racism, racial discrimination, and other related forms of intolerance in the Americas are, *inter alia*, people of African descent, indigenous peoples, and other racial and ethnic groups or minorities, or groups that by reason of their lineage or national or ethnic origin are affected by such manifestations;

CONVINCED that certain persons and groups experience multiple or extreme forms of racism, discrimination and intolerance, driven by a combination of factors such as race, color, lineage, national or ethnic origin, or others recognized in international instruments;

TAKING INTO ACCOUNT that a pluralistic and democratic society must respect the race, color, lineage, and national or ethnic origin of every person, whether belonging to a minority or not, and create suitable conditions that will enable that person to express, preserve, and develop his or her identity;

CONSIDERING that the individual and collective experience of discrimination must be taken into account to combat segregation and marginalization based on race, ethnicity, or nationality, and to protect the life plan of those individuals and communities at risk of such segregation and marginalization;

ALARMED by the surge in hate crimes motivated by race, color, lineage, and national or ethnic origin;

EMPHASIZING the basic role that education plays in promoting respect for human rights, equality, nondiscrimination, and tolerance; and

BEARING IN MIND that although the fight against racism and racial discrimination was brought to the forefront in an earlier international instrument, the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the rights set forth therein must be reaffirmed, developed, improved, and protected, in order to consolidate in the Americas the democratic content of the principles of legal equality and nondiscrimination,

AGREE upon the following:

CHAPTER I

Definitions

Article 1

For purposes of this Convention:

1. Racial discrimination shall mean any distinction, exclusion, restriction, or preference, in any area of public or private life, the purpose or effect of which is to nullify or curtail the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties.

Racial discrimination may be based on race, color, lineage, or national or ethnic origin.

2. Indirect racial discrimination shall be taken to occur, in any realm of public and private life, when a seemingly neutral provision, criterion, or practice has the capacity to entail a particular disadvantage for persons belonging to a specific group based on the reasons set forth in Article 1.1, or puts them at a disadvantage, unless said provision, criterion, or practice has some reasonable and legitimate objective or justification under international human rights law.
3. Multiple or aggravated discrimination is any preference, distinction, exclusion, or restriction based simultaneously on two or more of the criteria set forth in Article 1.1, or others recognized in international instruments, the objective or result of which is to nullify or curtail, the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties, in any area of public or private life.
4. Racism consists of any theory, doctrine, ideology, or sets of ideas that assert a causal link between the phenotypic or genotypic characteristics of individuals or groups and their intellectual, cultural, and personality traits, including the false concept of racial superiority.

Racism leads to racial inequalities, and to the idea that discriminatory relations between groups are morally and scientifically justified.

All the theories, doctrines, ideologies, and sets of racist ideas described in this article are scientifically false, morally reprehensible, socially unjust, and contrary to the basic principles of international law; they therefore seriously undermine international peace and security and, as such, receive the condemnation of the States Parties.

5. Special measures or affirmative action adopted for the purpose of ensuring equal enjoyment or exercise of one or more human rights and fundamental freedoms of groups requiring such protection shall not be deemed racial discrimination provided that such measures do not lead to the maintenance of separate rights for different groups and are not continued once their objectives have been achieved.