



**CERD General Recommendation VII Relating to the Implementation
of Article 4**

Legislation to Eradicate Racial Discrimination

*Adopted at the Thirty-second session of the Committee on the Elimination of Racial
Discrimination, on 23 August 1985
(Contained in Document A/40/18)*

The Committee on the Elimination of Racial Discrimination,

Having considered periodic reports of States parties for a period of 16 years,
and in over 100 cases sixth, seventh and eighth periodic reports of States parties,

Recalling and reaffirming its general recommendation I of 24 February 1972
and its decision 3 (VII) of 4 May 1973,

Noting with satisfaction that in a number of reports States parties have
provided information on specific cases dealing with the implementation of article 4 of
the Convention with regard to acts of racial discrimination,

Noting, however, that in a number of States parties the necessary legislation to
implement article 4 of the Convention has not been enacted, and that many States
parties have not yet fulfilled all the requirements of article 4 (a) and (b) of the
Convention,

Further recalling that, in accordance with the first paragraph of article 4,
States parties “undertake to adopt immediate and positive measures designed to
eradicate all incitement to, or acts of, such discrimination”, with due regard to the
principles embodied in the Universal Declaration of Human Rights and the rights
expressly set forth in article 5 of the Convention,

Bearing in mind the preventive aspects of article 4 to deter racism and racial
discrimination as well as activities aimed at their promotion or incitement,

1. *Recommends* that those States parties whose legislation does not satisfy
the provisions of article 4 (a) and (b) of the Convention take the necessary steps with
a view to satisfying the mandatory requirements of that article;

2. *Requests* that those States parties which have not yet done so inform
the Committee more fully in their periodic reports of the manner and extent to which
the provisions of article 4 (a) and (b) are effectively implemented and quote the
relevant parts of the texts in their reports;

3. *Further requests* those States parties which have not yet done so to
endeavour to provide in their periodic reports more information concerning decisions
taken by the competent national tribunals and other State institutions regarding acts of
racial discrimination and in particular those offences dealt with in article 4 (a) and (b).