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Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Records Management - SUBJECT FILE
Series/Staff Member: Subject Files
Subseries:

OA/ID Number: 12138
Scan ID: 079708SS
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Folder Title:
HU010

Stack:	Row:	Section:	Shelf:	Position:
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9/26/94

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THE WHITE HOUSE

WASHINGTON

September 23, 1994
94 SEP 23 P9:33

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: ANTHONY LAKE

SUBJECT: Ratification of the International Convention on
the Elimination of All Forms of Racial
Discrimination

Purpose

To ratify the attached instrument of ratification of the
International Convention on the Elimination of All Forms of
Racial Discrimination

Background

The Convention was signed by the United States in 1966 and
transmitted to the Senate for its advice and consent to
ratification in 1978. No further action was taken until June 24,
1994, when the Senate gave its advice and consent to
ratification, subject to reservations, understandings, and
declarations.

RECOMMENDATION

That you sign the attached instrument of ratification.

Approve _____ Disapprove _____

Attachment

Tab A Instrument of Ratification

Signed/dated. 9-28-94

Original (in duplicate) to State, Room 5420 via receipted W.H.
messenger. 10-3-94

Noted:
W.H. to

WILLIAM J. CLINTON

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CONSIDERING THAT:

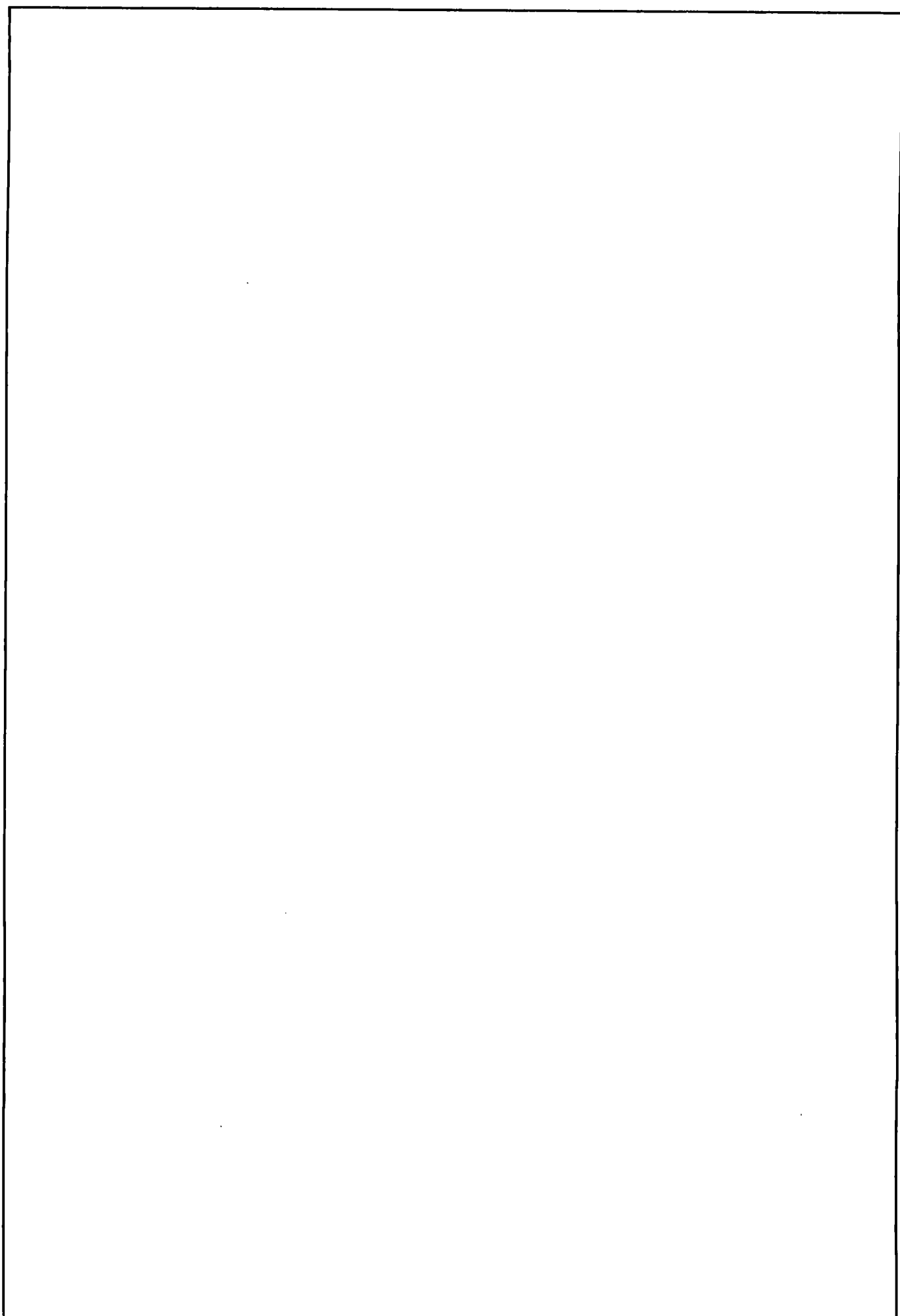
The International Convention on the Elimination of All Forms of Racial Discrimination, was adopted by the United Nations General Assembly on December 21, 1965, and signed on behalf of the United States of America on September 28, 1966; and

The Senate of the United States of America by its resolution of June 24, 1994, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention, provided that:

"I. The Senate's advice and consent is subject to the following reservations:

(1) That the Constitution and laws of the United States contain extensive protections of individual freedom of speech, expression and association. Accordingly, the United States does not accept any obligation under this Convention, in particular under Articles 4 and 7, to restrict those rights, through the adoption of legislation or any other measures, to the extent that they are protected by the Constitution and laws of the United States.

(5/18/94)



(2) That the Constitution and laws of the United States establish extensive protections against discrimination, reaching significant areas of non-governmental activity. Individual privacy and freedom from governmental interference in private conduct, however, are also recognized as among the fundamental values which shape our free and democratic society. The United States understands that the identification of the rights protected under the Convention by reference in Article 1 to fields of 'public life' reflects a similar distinction between spheres of public conduct that are customarily the subject of governmental regulation, and spheres of private conduct that are not. To the extent, however, that the Convention calls for a broader regulation of private conduct, the United States does not accept any obligation under this Convention to enact legislation or take other measures under paragraph (1) of Article 2, subparagraphs (1)(c) and (d) of Article 2, Article 3 and Article 5 with respect to private conduct except as mandated by the Constitution and laws of the United States.

(3) That with reference to Article 22 of the Convention, before any dispute to which the United States is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the United States is required in each case.

II. The Senate's advice and consent is subject to the following understanding, which shall apply to the obligations of the United States under this Convention:

That the United States understands that this Convention shall be implemented by the Federal Government to the extent that it exercises jurisdiction over the matters covered therein, and otherwise by the state and local governments. To the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall, as necessary, take appropriate measures to ensure the fulfillment of this Convention.

III. The Senate's advice and consent is subject to the following declaration:

That the United States declares that the provisions of the Convention are not self-executing."

NOW, THEREFORE, I, William J. Clinton, President of the United States of America, ratify and confirm the said Convention, subject to the aforesaid reservations, understanding and declaration.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

9-29-94

our Lord one thousand
nine hundred ninety-four
and of the Independence
of the United States of
America the two hundred
nineteenth.

By the President:

William J. Clinton

NOW, THEREFORE, I, William J. Clinton, President of the United States of America, ratify and confirm the said Convention, subject to the aforesaid reservations, understanding and declaration.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

9-29-94

our Lord one thousand
nine hundred ninety-four
and of the Independence
of the United States of
America the two hundred
nineteenth.

By the President:

William J. Clinton

WILLIAM J. CLINTON

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CONSIDERING THAT:

The International Convention on the Elimination of All Forms of Racial Discrimination, was adopted by the United Nations General Assembly on December 21, 1965, and signed on behalf of the United States of America on September 28, 1966; and

The Senate of the United States of America by its resolution of June 24, 1994, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention, provided that:

"I. The Senate's advice and consent is subject to the following reservations:

(1) That the Constitution and laws of the United States contain extensive protections of individual freedom of speech, expression and association. Accordingly, the United States does not accept any obligation under this Convention, in particular under Articles 4 and 7, to restrict those rights, through the adoption of legislation or any other measures, to the extent that they are protected by the Constitution and laws of the United States.

(300 600)

(2) That the Constitution and laws of the United States establish extensive protections against discrimination, reaching significant areas of non-governmental activity. Individual privacy and freedom from governmental interference in private conduct, however, are also recognized as among the fundamental values which shape our free and democratic society. The United States understands that the identification of the rights protected under the Convention by reference in Article 1 to fields of 'public life' reflects a similar distinction between spheres of public conduct that are customarily the subject of governmental regulation, and spheres of private conduct that are not. To the extent, however, that the Convention calls for a broader regulation of private conduct, the United States does not accept any obligation under this Convention to enact legislation or take other measures under paragraph (1) of Article 2, subparagraphs (1)(c) and (d) of Article 2, Article 3 and Article 5 with respect to private conduct except as mandated by the Constitution and laws of the United States.

(3) That with reference to Article 22 of the Convention, before any dispute to which the United States is a party may be submitted to the jurisdiction of the International Court of Justice under this article, the specific consent of the United States is required in each case.

II. The Senate's advice and consent is subject to the following understanding, which shall apply to the obligations of the United States under this Convention:

That the United States understands that this Convention shall be implemented by the Federal Government to the extent that it exercises jurisdiction over the matters covered therein, and otherwise by the state and local governments. To the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall, as necessary, take appropriate measures to ensure the fulfillment of this Convention.

III. The Senate's advice and consent is subject to the following declaration:

That the United States declares that the provisions of the Convention are not self-executing."

NOW, THEREFORE, I, William J. Clinton, President of the United States of America, ratify and confirm the said Convention, subject to the aforesaid reservations, understanding and declaration.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

9-29-04

our Lord one thousand
nine hundred ninety-four
and of the Independence
of the United States of
America the two hundred
nineteenth.

By the President:

William J. Clinton

NOW, THEREFORE, I, William J. Clinton, President of the United States of America, ratify and confirm the said Convention, subject to the aforesaid reservations, understanding and declaration.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

9-29-04

our Lord one thousand
nine hundred ninety-four
and of the Independence
of the United States of
America the two hundred
nineteenth.

By the President:

William J. Clinton



Washington, D.C. 20520

July 25, 1994

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

Subject: Ratification of the International Convention on the
Elimination of All Forms of Racial Discrimination

Attached for signature by the President is the instrument of ratification, in duplicate, of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the United Nations General Assembly on December 21, 1965, and signed on behalf of the United States on September 28, 1966.

The purpose of the Convention is to forbid racial and ethnic discrimination in all fields of public life. The Convention obligates States Parties to condemn racial discrimination, to undertake to pursue by all appropriate means a policy of eliminating racial discrimination in all its forms and promoting racial understanding, and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, equality before the law in the enjoyment of a broad spectrum of legal, civil, political and economic rights.



The Convention also establishes a Committee on the Elimination of Racial Discrimination to oversee compliance, examine complaints concerning noncompliance made by one Party against another, and facilitate the settlement of disputes.

The Senate gave its advice and consent to ratification on June 24, 1994, subject to reservations, an understanding, a declaration, and a proviso (which is not included in the instrument of ratification) which reads as follows:

"Nothing in this Convention requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States."

The Convention will enter into force for the United States 30 days after the deposit of the instrument of ratification.

Thank you for your assistance in this matter.


 Marc Grossman
Executive Secretary

Attachment:

Instrument of ratification (in duplicate).

INTERNATIONAL CONVENTION ON THE
ELIMINATION OF ALL FORMS OF RACIAL
DISCRIMINATION

Department

Subject

STATE

Ex, C, 95-2

Subject: Transmitting the International Convention on the Elimination of All Forms of Racial Discrimination, signed on behalf of the U..S. on September 28, 1966, together with the report of the Department of State on this U.N. Treaty.

NOTE: This treaty on Human Rights was one of four to be transmitted at the same time.

2/23/78: Sent to Senate

6/24/94: Senate gave its advice and consent to ratification subject to 3 reservations, 1 understanding, 1 declaration, and 1 proviso.

6/27/94: Resolution and Convention received at the White House.

6/28/94: Resolution and Convention to STATE, Treaty Affairs, Room 5420, via receipted White House messenger.

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: Inst. of Ratification
Racial Discrimination

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

*EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

*MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: Inst. of Ratification

RECEIVED: (Advance: 1 / 94 Time: a.m./p.m.)
In final: 9/24 / 94 Time: 900 a.m. / p.m.)

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 1 / 94 Time: a.m./p.m.)
In final: 1 / 94 Time: a.m./p.m.)

TO JOHN PODESTA'S OFFICE:

(For staffing: 1 / 94 Time: a.m./p.m.)
In final: 9/24 / 94 Time: 845 a.m. / p.m.)

INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE:

Date: 1 / 94 Time: a.m./p.m.
POSTED: 1 / 94 Time: a.m./p.m.)

NOTIFICATIONS:

<u> </u> (initials)	*Copies of all signed EOs or Memos to W.H. Counsel, 2d Floor, West Wing
<u> </u> (Person/time)	NSC, when appropriate -- Desk Officer; W.H. Situation Room -- x2585.
<u> </u> (Person/time)	<u> </u> (Other)
<u> </u> (Person/time)	<u> </u> (Other)

OTHER INFORMATION:

THE WHITE HOUSE
WASHINGTON

ORM OPTICAL DISK NETWORK

ID# 07970855

___ *Hardcopy pages are in poor condition (too light or too dark).*

___ *Remainder of case not scanned.*

___ *Oversize attachment not scanned.*

___ *Report not scanned.*

___ *Enclosure(s) not scanned.*

___ *Proclamation not scanned.*

___ *Incoming letter(s) not scanned.*

___ *Proposal not scanned.*

___ *Statement not scanned.*

☒ *Duplicate ^{MEMOS} ~~letters~~ attached - not scanned.*

___ *Only table of contents scanned.*

___ *No incoming letter attached.*

___ *Only tracking sheet scanned.*

___ *Photo(s) not scanned.*

___ *Bill not scanned.*

___ *Resolution not scanned.*

Comments:

THE WHITE HOUSE

WASHINGTON

September 23, 1994

94 SEP 23 P9:33

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: ANTHONY LAKE SUBJECT: Ratification of the International Convention on
the Elimination of All Forms of Racial
DiscriminationPurpose

To ratify the attached instrument of ratification of the
International Convention on the Elimination of All Forms of
Racial Discrimination

Background

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ratification in 1978. No further action was taken until June 24,
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ratification, subject to reservations, understandings, and
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RECOMMENDATION

That you sign the attached instrument of ratification.

Approve _____ Disapprove _____

Attachment

Tab A Instrument of Ratification



Washington, D.C. 20520

July 25, 1994

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THE WHITE HOUSE

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Elimination of All Forms of Racial Discrimination

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The Convention also establishes a Committee on the Elimination of Racial Discrimination to oversee compliance, examine complaints concerning noncompliance made by one Party against another, and facilitate the settlement of disputes.

The Senate gave its advice and consent to ratification on June 24, 1994, subject to reservations, an understanding, a declaration, and a proviso (which is not included in the instrument of ratification) which reads as follows:

"Nothing in this Convention requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States."

The Convention will enter into force for the United States 30 days after the deposit of the instrument of ratification.

Thank you for your assistance in this matter.

W. H. Robinson

for Marc Grossman
Executive Secretary

Attachment:

Instrument of ratification (in duplicate).

THE WHITE HOUSE

WASHINGTON

September 23, 1994

94 SEP 23 P9:33

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MEMORANDUM FOR THE PRESIDENT

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Thank you for your assistance in this matter.

A handwritten signature in cursive script, appearing to read "M. Grossman".

for Marc Grossman
Executive Secretary

Attachment:

Instrument of ratification (in duplicate).