

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES
COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

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Working Group to Prepare
a draft Inter-American Convention against
Racism and All Forms of Discrimination and Intolerance

PROPOSALS BY ECUADOR ON THE
DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM,
RACIAL DISCRIMINATION AND RELATED FORMS OF INTOLERANCE

**REPUBLIC OF ECUADOR
MISSION OF ECUADOR TO THE
ORGANIZATION OF AMERICAN STATES**

**Ministry of Foreign Affairs,
Trade and Integration**

No. 4-2-123/2012
Washington, DC, April 4, 2012

Madam Chair:

I hereby enclose the proposals by Ecuador for the draft Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, for consideration by the Working Group that you chair.

1. Include an additional paragraph in Article 5, Acts and Manifestations of Racism, Racial Discrimination, and Related Forms of Intolerance, which would read: “Unjustified restriction of or limitation on the right of every person, people or nationality to have access to and sustainably use the water, natural resources, ecosystems, biodiversity and ecological services that are part of the natural patrimony of each State, protected by pertinent international instruments and their own national laws.”
2. In Article 5, paragraph x, suggest replacing “vulnerable groups” by “groups in conditions of vulnerability.”
3. In Article 5, paragraphs ii and iii, replace “any means of communication” with “any form and/or means of communication.”
4. For Article 6, the following language is proposed: “The States undertake to prevent, eliminate, and punish, in accordance with their Constitutional provisions and the provisions of this Convention, all acts and manifestations of racism, racial discrimination, and related forms of intolerance.”
5. In Article 6, paragraph ii, replace the words “any means of communication” with “any form and means of communication”, and “any materials” with “any content”.
6. Include in Article 11 a measure that commits States to establish in their legislation and control mechanisms for which their authorities are responsible for the taking of precautionary measures that seek to protect in an effective and timely way the rights at risk because of discriminatory behavior, without requiring full proof or scientific certainty of risk or harm.

Mrs. Joy-Dee Davis
Chair of the Working Group to Prepare a
Draft Inter-American Convention against Racism and
All Forms of Discrimination and Intolerance
Washington, D.C.

It should be noted that the proposals set out above also apply, where pertinent and applicable, to the draft of a Legally Binding Instrument against All Forms of Discrimination and Intolerance.

Yours sincerely,

Maria Isabel Salvador
Permanent Representative to the OAS