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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION
AND PUNISHMENT OF THE CRIME OF APARTHEID

Note by the Secretary-General

1. In accordance with the provisions of its article XV, paragraph 1, the International Convention on the Suppression and Punishment of the Crime of Apartheid entered into force on 18 July 1976, on the thirtieth day after the date of the deposit with the Secretary-General of the twentieth instrument of ratification.
2. As at 31 December 1979, the Convention had been ratified or acceded to by 54 States. A list of States parties to the Convention, as well as the dates of their ratification or accession and the dates of entry into force of the Convention for States concerned, appear in the annex to this note.
3. Under article VII of the Convention, the States parties undertake to submit to the group established under article IX periodic reports on the legislative, judicial, administrative or other measures that they have adopted and that give effect to the provisions of the Convention.
4. In accordance with article IX of the Convention, the Chairman of the Commission on Human Rights is authorized to appoint a group consisting of three members of the Commission, who are also representatives of States parties to the Convention, to consider reports submitted by States parties in accordance with article VII.
5. The group of three, appointed by the Chairman of the Commission at its thirty-third session, held its second (1979) session at the United Nations Office at Geneva from 29 January to 2 February 1979. It had before it a note by the Secretary-General (E/CN.4/1326) concerning the reports submitted by States parties under article VII of the Convention, as well as reports submitted since its first (1978) session by Madagascar (E/CN.4/1277/Add.13), the Byelorussian Soviet Socialist Republic (E/CN.4/1277/Add.14), Poland (E/CN.4/1277/Add.15), Hungary (E/CN.4/1277/Add.16) and the Ukrainian Soviet Socialist Republic (E/CN.4/1277/Add.17).
6. In its report to the Commission on Human Rights at its thirty-fifth session (E/CN.4/1328), the Group, inter alia, reiterated its recommendation that the general guidelines regarding the form and contents of reports to be submitted by States parties (E/CN.4/1286, annex) should be brought once more to the attention of all States parties, requesting them to take those guidelines fully into account in submitting their

reports under article VII of the Convention. It also agreed to invite the States parties concerned, through the Commission on Human Rights, to consider the possibility of sending representatives to future sessions of the Group when reports submitted by them are considered and to draw the attention of States parties, through the Commission on Human Rights, to the desirability of suggesting ideas in relation to the modalities for the establishment of the international penal tribunal referred to in article V of the Convention.

7. By its resolution 10 (XXXV) of 5 March 1979 entitled "Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid", the Commission on Human Rights took note with appreciation of the report of the group, in particular its recommendations and general guidelines concerning the desirability for the States parties to implement fully article IV of the Convention; called upon States parties to implement fully article IV of the Convention by adopting the necessary legislative, judicial and administrative measures to prosecute, bring to trial and punish, in accordance with their jurisdiction, persons responsible for, or accused of, the acts defined in article II of the Convention; requested the Secretary-General to invite States parties to the Convention to suggest ways and means for the establishment of the international penal tribunal referred to in article V of the Convention; decided that the group of three members of the Commission appointed in accordance with article IX of the Convention should meet for a period of no more than five days before the thirty-sixth session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention; and decided to maintain on its agenda as a standing item the question entitled "Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid".

8. In accordance with article IX of the Convention and General Assembly resolution 31/80, the Chairman of the Commission, at the thirty-fifth session, appointed the representatives of Bulgaria, Cuba and Senegal as members of the Group.

9. In a note dated 25 June 1979, the Secretary-General brought to the attention of the States parties the relevant provisions of the Convention and Commission resolution 10 (XXXV), and requested them to submit their reports within the time-limits indicated in Commission resolution 7 (XXXIV), ^{1/} and in time for appropriate transmission to the group of three at its third (1980) session and to the Commission at its thirty-sixth session.

10. In a further note dated 15 November 1979, the Secretary-General invited States parties which had not yet submitted their initial reports within the time-limits indicated in Commission resolution 7 (XXXIV), to submit them, if possible, not later than 31 December 1979 for appropriate consideration by the Group at its third (1980) session.

^{1/} By its resolution 7 (XXXIV) of 22 February 1978, the Commission on Human Rights had called upon the States parties to submit their first report under article VII of the Convention not later than two years after becoming parties to the Convention and their periodic reports at two-yearly intervals, with the understanding that they may submit additional information to the group at any time they wished in the intervening period.

11. By its resolution 34/27 of 15 November 1979, the General Assembly, inter alia, commended the States parties to the Convention that had submitted their reports under article VII of the Convention and urged other States to do so as soon as possible, taking fully into account the guidelines prepared by the Working Group on the Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid established in accordance with article IX of the Convention; called upon States parties to implement fully article IV of the Convention by adopting legislative, judicial and administrative measures to prosecute, bring to trial and punish in accordance with their jurisdiction persons responsible for, or accused of, the acts defined in article II of the Convention; and called upon all States parties to the Convention and the competent United Nations organs to consider the conclusions and recommendations of the Working Group contained in its report (E/CN.4/1328) and to submit their views and comments to the Secretary-General.

12. The reports received from the States parties will be reproduced in addenda to the present document which will be made available to the group at its third (1980) session and to the Commission at its thirty-sixth session.

ANNEX

States parties to the International Convention on the
Suppression and Punishment of the Crime of Apartheid

<u>State</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
Barbados	7 February 1979 ^{a/}	9 March 1979
Benin	30 December 1974	18 July 1976
Bulgaria	18 July 1974	18 July 1976
Burundi	12 July 1978 ^{a/}	11 August 1978
Byelorussian Soviet Socialist Republic	2 December 1975	18 July 1976
Cape Verde	12 June 1979 ^{a/}	12 June 1979
Chad	23 October 1974	18 July 1976
Cuba	1 February 1977 ^{a/}	3 March 1977
Czechoslovakia	25 March 1976	18 July 1976
Ecuador	12 May 1975	18 July 1976
Egypt	13 June 1977 ^{a/}	13 July 1977
El Salvador	30 November 1979 ^{a/}	30 December 1979
Ethiopia	19 September 1978 ^{a/}	19 October 1978
Gambia	29 December 1978 ^{a/}	28 January 1979
German Democratic Republic	12 August 1974	18 July 1976
Ghana	1 August 1978	31 August 1978
Guinea	3 March 1975	18 July 1976
Guyana	30 September 1977 ^{a/}	30 October 1977
Haiti	19 December 1977	18 January 1978
Hungary	20 June 1974	18 July 1976
India	22 September 1977 ^{a/}	22 October 1977
Iraq	9 July 1975	18 July 1976
Jamaica	18 February 1977	20 March 1977
Kuwait	23 February 1977 ^{a/}	25 March 1977
Liberia	5 November 1976 ^{a/}	5 December 1976
Libyan Arab Jamahiriya	8 July 1976 ^{a/}	7 August 1976
Madagascar	26 May 1977 ^{a/}	25 June 1977

^{a/} Accession.

<u>State</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
Mali	19 August 1977 ^{a/}	18 September 1977
Mongolia	8 August 1975	18 July 1976
Nepal	12 July 1977 ^{a/}	11 August 1977
Niger	28 June 1978 ^{a/}	28 July 1978
Nigeria	31 March 1977	30 April 1977
Panama	16 March 1977	15 April 1977
Peru	1 November 1978 ^{a/}	1 December 1978
Philippines	24 January 1978	23 February 1978
Poland	15 March 1976	18 July 1976
Qatar	19 March 1975	10 July 1976
Romania	15 August 1978	14 September 1978
Sao Tome and Principe	5 October 1979 ^{a/}	4 November 1979
Senegal	18 February 1977 ^{a/}	20 March 1977
Seychelles	13 February 1978 ^{a/}	15 March 1978
Somalia	28 January 1975 ^{a/}	18 July 1976
Sudan	21 March 1977	20 April 1977
Syrian Arab Republic	18 June 1976	10 July 1976
Trinidad and Tobago	26 October 1979	25 November 1979
Tunisia	21 January 1977 ^{a/}	20 February 1977
Ukrainian Soviet Socialist Republic	10 November 1975	18 July 1976
Union of Soviet Socialist Republics	26 November 1975	18 July 1976
United Arab Emirates	15 October 1975	18 July 1976
United Republic of Cameroon	1 November 1976 ^{a/}	1 December 1976
United Republic of Tanzania	11 June 1976 ^{a/}	13 July 1976
Upper Volta	24 October 1978	23 November 1978
Yugoslavia	1 July 1975	18 July 1976
Zaire	11 July 1978 ^{a/}	10 August 1978