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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 1 December 1980, the Convention had been ratified or acceded to by 58 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 annex I 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-fifth session, held its third (1980) session at the United Nations Office at Geneva from 28 January to 1 February 1980. It had before it a note by the Secretary-General (E/CN.4/1353) concerning the reports submitted by States parties under article VII of the Convention, as well as reports submitted since its second (1979) session by the United Arab Emirates (E/CN.4/1353/Add.1), the Syrian Arab Republic (E/CN.4/1353/Add.2), Iraq (E/CN.4/1353/Add.3), the German Democratic Republic (E/CN.4/1353/Add.4), India (E/CN.4/1353/Add.5) and Hungary (E/CN.4/1353/Add.6), which were considered by the Group at its 1980 session in the presence of the representatives of the reporting States.

6. In its report to the Commission on Human Rights at its thirty-sixth session (E/CN.4/1358), the Group, inter alia, called upon States parties to provide in their reports more comprehensive information on the national and international measures they had taken to implement fully article IV of the Convention, or on the difficulties which they might have encountered in the implementation of that article; reiterated its recommendation that the general guidelines regarding the form and contents of reports should be fully taken into account by all States parties in submitting their reports under article VII of the Convention; drew the attention of States parties, through the Commission on Human Rights, to the desirability of taking measures on the dissemination of information relating to the Convention, the implementation of its provisions and the work of the Group; once again drew the attention of States parties 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; and recommended to the Commission to request the Secretary-General to study the possibility of convening a Diplomatic Conference of States parties for the purpose of considering the modalities of the establishment of such a tribunal as well as measures of implementation of the Convention. The Group also appealed to States parties, through the Commission on Human Rights, to strengthen their co-operation at the international level to implement fully the decisions taken by the Security Council and other competent organs of the United Nations aimed at the prevention, suppression and punishment of the crime of apartheid; and drew attention to the importance of strengthening assistance given to the liberation movements in southern Africa.

7. In resolution 13 (XXXVI) of 26 February 1980, the Commission on Human Rights took note with appreciation of the report of the Group of Three, and in particular the recommendations contained therein; renewed its appeal to those countries that had not yet done so to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid without delay; commended those States parties that had submitted their reports, in particular those that had submitted a second report, and urged the States parties which had not yet done so to submit their reports as soon as possible; requested the Secretary-General to renew his invitation to the States parties to the Convention which had not yet done so to suggest ways and means for the establishment of the international penal tribunal referred to in article V of the Convention, and to transmit such suggestions to the Ad Hoc Working Group of Experts responsible for investigating violations of human rights in southern Africa in order that it may undertake a study on the establishment of the aforesaid international penal tribunal, in accordance with the mandate entrusted to it under resolution 12 (XXXVI) of the Commission; again urged State parties to the Convention to take into consideration, when submitting their reports, the guidelines (E/CN.4/1286) laid down by the Group in 1978 for the submission of the reports; and 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-seventh session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention.

8. In resolution 12 (XXXVI) of 26 February 1980, the Commission, inter alia, reiterated its appeal to those countries that had not yet done so to accede to the Convention without delay; commended those States that had submitted their reports; urged the States parties to adopt the measures prescribed by the Convention, particularly those referred to in its articles IV and V; 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".

9. In accordance with article IX of the Convention, the Chairman of the Commission, at the thirty-sixth session, appointed the representatives of Bulgaria, Cuba and Nigeria as members of the Group.

10. In a note dated 15 May 1980, the Secretary-General brought to the attention of States parties the relevant provisions of the Convention and Commission resolutions 12 (XXXVI) and 13 (XXXVI), 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 fourth (1981) session and to the Commission at its thirty-seventh session.

11. By its resolution 35/39 of 25 November 1980, the General Assembly, inter alia, expressed its satisfaction at the increase in the number of States which had ratified the Convention or acceded thereto; 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 (E/CN.4/1286, annex) prepared by the Group; strongly appealed once again to those States that had not yet become parties to the Convention to ratify it or to accede to it without delay; called upon all 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 again called upon all States parties and the competent United Nations organs to consider the conclusions and recommendations of the Group contained in its reports (E/CN.4/1328, section VI, and E/CN.4/1358) and to submit their views and comments to the Secretary-General.

12. During the thirty-sixth session of the Commission, the following States parties to the Convention submitted their reports: Cuba (E/CN.4/1353/Add.7), Yugoslavia (E/CN.4/1353/Add.8), Tunisia (E/CN.4/1353/Add.9), Bulgaria (E/CN.4/1353/Add.10) and Poland (E/CN.4/1353/Add.11). These reports will be available to the Group for examination at its fourth (1981) session. The reports submitted after the thirty-sixth session of the Commission by Qatar, Union of Soviet Socialist Republics, Mali, Byelorussian Soviet Socialist Republic, Ukrainian Soviet Socialist Republic, Romania, Egypt and Burundi, which appear in addenda 1 to 8 respectively to this document, will also be available to the Group for examination at its fourth (1981) session and to the Commission at its thirty-seventh session. Other reports which may be received by the Secretary-General will be issued in further addenda to this document.

13. A list indicating the status of submission of reports by States parties since the entry into force of the Convention appears in annex II below.

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.

ANNEX I

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 <u>a/</u>	9 March 1979
Benin	30 December 1974	18 July 1976
Bulgaria	18 July 1974	18 July 1976
Burundi	12 July 1978 <u>a/</u>	11 August 1978
Byelorussian Soviet Socialist Republic	2 December 1975	18 July 1976
Cape Verde	12 June 1979 <u>a/</u>	12 July 1979
Chad	23 October 1974	18 July 1976
Cuba	1 February 1977 <u>a/</u>	3 March 1977
Czechoslovakia	25 March 1976	18 July 1976
Ecuador	12 May 1975	18 July 1976
Egypt	13 June 1977 <u>a/</u>	13 July 1977
El Salvador	30 November 1979 <u>a/</u>	30 December 1979
Ethiopia	19 September 1978 <u>a/</u>	19 October 1978
Gabon	29 February 1980 <u>a/</u>	30 March 1980
Gambia	29 December 1978 <u>a/</u>	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 <u>a/</u>	30 October 1977
Haiti	19 December 1977	18 January 1978
Hungary	20 June 1974	18 July 1976

a/ Accession.

<u>State</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
India	22 September 1977 <u>a/</u>	22 October 1977
Iraq	9 July 1975	18 July 1976
Jamaica	18 February 1977	20 March 1977
Kuwait	23 February 1977 <u>a/</u>	25 March 1977
Liberia	5 November 1976 <u>a/</u>	5 December 1976
Libyan Arab Jamahiriya	8 July 1976 <u>a/</u>	7 August 1976
Madagascar	26 May 1977 <u>a/</u>	25 June 1977
Mali	19 August 1977 <u>a/</u>	18 September 1977
Mexico	4 March 1980 <u>a/</u>	3 April 1980
Mongolia	8 August 1975	18 July 1976
Nepal	12 July 1977 <u>a/</u>	11 August 1977
Nicaragua	28 March 1980 <u>a/</u>	27 April 1980
Niger	28 June 1978 <u>a/</u>	28 July 1978
Nigeria	31 March 1977	30 April 1977
Panama	16 March 1977	15 April 1977
Peru	1 November 1978 <u>a/</u>	1 December 1978
Philippines	24 January 1978	23 February 1978
Poland	15 March 1976	18 July 1976
Qatar	19 March 1975	13 July 1976
Romania	15 August 1978	14 September 1978
Sao Tome and Principe	5 October 1979 <u>a/</u>	4 November 1979
Senegal	18 February 1977 <u>a/</u>	20 March 1977

a/ Accession.

<u>State</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
Seychelles	13 February 1978 <u>a/</u>	15 March 1978
Somalia	28 January 1975 <u>a/</u>	18 July 1976
Sudan	21 March 1977	20 April 1977
Suriname	3 June 1980	3 July 1980
Syrian Arab Republic	18 June 1976	18 July 1976
Trinidad and Tobago	26 October 1979	25 November 1979
Tunisia	21 January 1977 <u>a/</u>	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 Camerqon	1 November 1976 <u>a/</u>	1 December 1976
United Republic of Tanzania	11 June 1976 <u>a/</u>	18 July 1976
Upper Volta	24 October 1978	23 November 1978
Yugoslavia	1 July 1975	18 July 1976
Zaire	11 July 1978	10 August 1978

a/ Accession.

ANNEX II--

Status of submission of reports by States parties since
the entry into force of the Convention

<u>State parties</u>	<u>Documents containing initial and periodic reports, if any</u>	<u>Date of submission</u>	<u>Session at which the report was considered</u>
Barbados	--	--	--
Benin	--	--	--
Bulgaria	E/CN.4/1277/Add.7 E/CN.4/1353/Add.10 */	4 January 1978 5 February 1980	1978 session
Burundi	E/CN.4/1415/Add.8 */	12 November 1980	
Byelorussian Soviet Socialist Republic	E/CN.4/1277/Add.14 E/CN.4/1415/Add.4 */	8 February 1978 6 October 1980	1979 session
Cape Verde	--	--	--
Chad	--	--	--
Cuba	E/CN.4/1277/Add.8 E/CN.4/1353/Add.7 */	3 January 1978 28 January 1980	1978 session
Czechoslovakia	E/CN.4/1277/Add.6	20 December 1977	1978 session
Ecuador	--	--	--
Egypt	E/CN.4/1415/Add.7 */	12 November 1980	
El Salvador	--	--	--
Ethiopia	--	--	--
Gabon	--	--	--
Gambia	--	--	--
German Democratic Republic	E/CN.4/1277/Add.4 E/CN.4/1353/Add.4	29 November 1977 7 January 1980	1978 session 1980 session
Ghana	--	--	--
Guinea	--	--	--
Guyana	--	--	--

*/ Scheduled for consideration by the Group of Three at its fourth (1981) session.

<u>State parties</u>	<u>Documents containing initial and periodic reports, if any</u>	<u>Date of submission</u>	<u>Session at which the report was considered</u>
Haiti			--
Hungary	E/CN.4/1277/Add.16	14 February 1978	1979 session
	E/CN.4/1353/Add.6	15 January 1980	1980 session
India	E/CN.4/1353/Add.5	14 January 1980	1980 session
Iraq	E/CN.4/1353/Add.3	28 December 1979	1980 session
Jamaica	--	--	--
Kuwait	E/CN.4/1277/Add.1	16 August 1977	1978 session
Liberia	--	--	--
Libyan Arab Jamahiriya	--	--	--
Madagascar	E/CN.4/1277/Add.13	31 January 1978	1979 session
Mali	E/CN.4/1415/Add.3 */	5 September 1980	
Mexico	--	--	--
Mongolia	--	--	--
Nepal	--	--	--
Nicaragua	--	--	--
Niger	--	--	--
Nigeria	E/CN.4/1277/Add.12	1 February 1978	1978 session
Panama	E/CN.4/1277/Add.2	31 August 1977	1978 session
Peru	--	--	--
Philippines	--	--	--
Poland	E/CN.4/1277/Add.15	10 February 1978	1979 session
	E/CN.4/1353/Add.11 */	10 March 1980	
Qatar	E/CN.4/1415/Add.1 */	25 June 1980	
Romania	E/CN.4/1415/Add.6 */	3 November 1980	
Sao Tome and Principe	--	--	--
Senegal	E/CN.4/1277/Add.10	11 January 1978	1978 session

<u>State parties</u>	<u>Documents containing initial and periodic reports, if any</u>	<u>Date of submission</u>	<u>Session at which the report was considered</u>
Seychelles	--	--	--
Somalia	--	--	--
Sudan	--	--	--
Suriname	--	--	--
Syrian Arab Republic	E/CN.4/1277/Add.9 E/CN.4/1353/Add.2	9 January 1978 18 December 1979	1978 session 1980 session
Trinidad and Tobago	--	--	--
Tunisia	E/CN.4/1353/Add.9 */	30 January 1980	
Ukrainian Soviet Socialist Republic	E/CN.4/1277/Add.17 E/CN.4/1415/Add.5 */	17 March 1978 28 October 1980	1979 session
Union of Soviet Socialist Republics	E/CN.4/1277/Add.11 E/CN.4/1415/Add.2 */	20 January 1978 25 August 1980	1978 session
United Arab Emirates	E/CN.4/1277/Add.5 E/CN.4/1353/Add.1	9 December 1977 23 July 1979	1978 session 1980 session
United Republic of Cameroon	E/CN.4/1277/Add.3	6 October 1977	1978 session
United Republic of Tanzania	--	--	--
Upper Volta	--	--	--
Yugoslavia	E/CN.4/1353/Add.8 */	28 January 1980	
Zaire	--	--	--