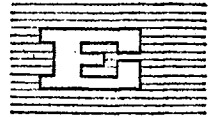


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Thirty-seventh session

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

Reports submitted by States parties under
article VII of the Convention

Addendum

UNION OF SOVIET SOCIALIST REPUBLICS 1/

[25 August 1980]

1/ The initial report submitted by the Government of the Union of Soviet Socialist Republics (E/CN.4/1277/Add.11) was considered by the Group of Three at its 1978 session.

As already explained in an earlier report on this question (E/CN.4/1277/Add.11, dated 23 January 1978), any manifestation of the ideology and practice of apartheid is deeply alien to the Soviet State and the Soviet peoples and is regarded as an inhuman and criminal act.

The principles of racial and national equality of rights, embodied in the 1977 Constitution of the USSR, which were discussed in detail in the previous report, were reflected in the new Constitutions of all 15 Union Republics and 20 Autonomous Republics of the Soviet multinational State, which were adopted in the course of 1978. The new Constitutions provide numerous guarantees of national and racial equality and prohibit all forms and manifestations of discrimination on the grounds of nationality or race.

Thus article 32 of the Constitution of the Russian Soviet Federative Socialist Republic (RSFSR) states: "Citizens of the RSFSR are equal before the law, without distinction as to origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile or other status. The equal rights of citizens of the RSFSR are guaranteed in all fields of economic, political and cultural life."

Similar provisions are contained in the corresponding articles of the Constitutions of all the other Union and Autonomous Republics.

The principle of national and racial equality of rights is embodied in other articles of the Constitutions of the Republics. For example, article 34 of the Constitution of the RSFSR states: "Citizens of the RSFSR of different races and nationalities have equal rights."

Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by the education of citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility of using their native language and languages of other peoples of the USSR.

Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law."

Similar provisions are embodied in the Constitutions of all the other Republics.

Under article 62 of the Constitution of the RSFSR and similar articles in the Constitutions of all the other Republics, it is the duty of every citizen of a Union or Autonomous Republic "to respect the national dignity of other citizens, and to strengthen friendship among the nations and nationalities of the multinational Soviet state".

Developing further the provisions of the USSR Constitution concerning the equality of its citizens, the Constitutions of the Republics contain additional provisions relating to the equality of rights of the citizens of one Republic in the territory of another. Thus, article 31 of the RSFSR Constitution states: "The citizens of other Union Republics enjoy the same rights as the citizens of the RSFSR in the territory of the latter".

Equality of rights regardless of racial and national affiliation is guaranteed by all the Constitutions not only to citizens of the Republics but also to other persons living in the territory of the Republics. For example, article 35 of the RSFSR Constitution provides: "Citizens of other countries and stateless persons in the RSFSR are guaranteed the rights and freedoms provided by law, including the right to apply to a court and other state bodies for the protection of their personal, property, family and other rights."

In the Soviet Union a number of other important legislative provisions have recently been adopted, guaranteeing the reality of the equality of rights of citizens of different races and nationalities and prohibiting discrimination on grounds of race or nationality.

On 1 December 1978, the Supreme Soviet of the USSR adopted a new law on citizenship of the USSR which came into force with effect from 1 July 1979. This law, in accordance with the provisions of the USSR Constitution, further develops the principles of internationalism, humanism and democratism on which the legislation concerning Soviet citizenship is based.

The preamble to the law states: "The Soviet socialist people's State safeguards the rights and freedoms, and ensures the equality of rights of USSR citizens in all areas of economic, political, social and cultural life."

In the USSR no discriminatory conditions or restrictions whatsoever are applied in the settling of questions concerning the granting of USSR citizenship. Article 15 of the law stipulates: "Foreigners or stateless persons may, upon application by them, be granted USSR citizenship under this law, regardless of their race and nationality, sex, education, language or domicile".

Several new or amended legislative instruments have improved the legal guarantees for specific political, civil, social, economic and cultural rights of citizens of the USSR, thereby promoting the further safeguarding of national and racial equality of rights.

On 6 July 1978, the Supreme Soviet of the USSR adopted a law concerning elections to the Supreme Soviet of the USSR. Based on the USSR Constitution, the law provides broad guarantees for the electoral rights of Soviet citizens, precluding any discrimination on grounds of race or nationality in this sphere of public life also.

Article 2 of the law states: "Any direct or indirect limitations of the electoral rights of citizens of the USSR on grounds of origin, social and property status, race or nationality, sex, education, language, attitude to religion, length of residence in a specific place, or type and nature of occupation are prohibited."

With a view to bringing the legislation of the USSR into line with the new Constitution of the USSR, the Presidium of the Supreme Soviet of the USSR in 1979 improved the provisions of a number of the fundamentals of legislation of the USSR and the Union Republics, bearing in mind also the need to ensure national and racial equality of rights. Thus the provisions of the fundamentals of civil

procedure in the USSR and the Union Republics concerning the administration of justice solely by the courts and on the principle of the equality of citizens before the law and the courts are set forth more fully, as follows: "Justice in civil cases is administered solely by the courts and on the principle of the equality before the law and the courts of all citizens without distinction as to origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status" (article 7).

The equality of all citizens of the USSR is similarly guaranteed in the matter of the provision of education. A clause in this sense was included in 1979 in article 4 of the fundamentals of legislation of the USSR and the Union Republics concerning the education of the people.

A number of new or recently revised legal texts required the relevant State and public organs and deputies to take the necessary measures to ensure the constant safeguarding of racial and national equality of rights, and observance of the rights and freedoms of all Soviet citizens.

In April 1979, the Supreme Soviet of the USSR revised the law concerning the status of people's deputies in the USSR, including among the duties of deputies to all Soviets of People's Deputies that of rendering every assistance towards the further consolidation of friendship among all nations and peoples of the USSR. Article 2 of the law states: "In his activities, the deputy shall be guided by the interests of the State as a whole and shall take into consideration the needs of the inhabitants of his electoral district as well as the particular economic, cultural, national and other features of the Union or Autonomous Republic or autonomous region or area in which he was elected or in the territory of which his electoral district is located."

In the Act on the Supreme Court of the USSR, the Act on the Procurator's Office of the USSR and the Act on the Legal Profession in the USSR which were adopted by the Supreme Soviet of the USSR on 30 November 1979, there are no discriminatory restrictions on grounds of racial, nationality or other circumstances for persons elected to the Supreme Court of the USSR, appointed as procurators or investigators within the Procurator's Office or admitted to the college of advocates. At the same time, these Acts provide that the activities of these bodies shall be directed towards the safeguarding of socialist legality, the protection of the rights and freedoms of citizens, and the education of all citizens in a spirit of respect for the rights, honour and dignity of others.

The Soviet Union has consistently participated in the fight against apartheid in the international arena.

Soviet delegations played an active part, for example, in the World Conference to Combat Racism and Racial Discrimination, in the United Nations Symposium on the Exploitation of Blacks in South Africa and Namibia and on Prison Conditions in South African Gaols, and in other international forums concerned with the eradication of the criminal policy and practice of apartheid.

Widespread public activity in support of the peoples struggling against colonialism and racism, racial discrimination and apartheid has continued in the Soviet Union.

In many cities of the Soviet Union, public meetings and gatherings have been held to mark International Anti-Apartheid Year and the International Day For the Elimination of Racial Discrimination (21 March). From 25 to 31 May the annual Week of Solidarity with the Struggling Peoples of South Africa was held in the USSR. Soviet public organizations have played an active part in organizing expressions of solidarity with the struggle of the peoples of southern Africa against racism and apartheid: Zimbabwe Day on 17 March, International Day of Solidarity with the Struggling People of South Africa on 16 June, South Africa Freedom Day on 26 June, Namibia Day on 26 August, Day of Solidarity with South African Political Prisoners on 11 October and Day of Heroes of Southern Africa on 16 December.

Delegations from national liberation organizations in southern Africa - the African National Congress (ANC), the Zimbabwe Patriotic Front and SWAPO - visited the Soviet Union, and their leaders spoke at public meetings and gatherings.

Soviet public organizations provided direct assistance to the national liberation movements of South Africa, Namibia and Zimbabwe. Food, clothing, manufactured goods, medicines, medical equipment, vehicles, etc., have been sent to these movements. For example, the Soviet Committee for Solidarity with the Countries of Asia and Africa recently provided such assistance to the South West Africa People's Organization (SWAPO) and the African National Congress (ANC) of South Africa.

Representatives of the Soviet public played an active part in international public meetings aimed at combating apartheid, including the International Conference on Activities of Non-Governmental Organizations Against Apartheid (Geneva, August 1978), the International Conference for the Liberation of Southern Africa and Against Apartheid (New Delhi, September 1978), the International Conference on Solidarity with Front-Line States and Liberation Movements in Southern Africa (Lusaka, April 1979), and others.

A number of international public meetings were held in the Soviet Union also. In September 1978, for example, an international conference of jurists and lawyers, entitled "The Elimination of Apartheid, a Vital Task for our Time", was held at Baku in September 1978.

In May 1979, the Soviet Committee for Solidarity with the Countries of Asia and Africa together with the Africa Institute of the Academy of Sciences of the USSR and in collaboration with the United Nations Special Committee against Apartheid, organized an international seminar at Alma-Ata on "The role of public opinion in support of the struggle of the peoples of southern Africa against racism, apartheid and colonialism". Representatives from over 30 countries, national liberation movements and international organizations, together with Soviet and foreign scholars and public figures, took part in the work of the seminar. Participants in the seminar discussed the results of International Anti-Apartheid Year, questions concerning the activities of international and national public organizations relating to the implementation of United Nations decisions in support of the peoples of southern Africa, and measures in connection with the political, economic, cultural and sports boycott of racist régimes.

Soviet public organizations actively support the activities of the Afro-Asian Peoples' Solidarity Organization (AAPSO), the International Committee against Apartheid, Racism and Colonialism in Southern Africa and the International Commission for the Investigation of Racist and Apartheid Régimes in Southern Africa.

The Soviet Union actively supports the UNESCO Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War. In accordance with the Declaration, the Soviet mass media regularly broadcast and publish both in the USSR and abroad a large quantity of materials designed to cultivate in the public a spirit of opposition to racial discrimination and apartheid. The Soviet public in particular is well informed about the provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid.

As already reported earlier, the Soviet Union has observed and is continuing to observe strictly all the decisions and recommendations of the international organs for the isolation and boycotting of racist régimes.

The Soviet Union actively supported the programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination adopted in General Assembly resolution 34/24, including the application of the sanctions provided for therein against the racist régime of the Republic of South Africa.

In his message to the States and peoples of Africa on the occasion of African Liberation Day, on 25 May 1980, Mr. L.I. Brezhnev, Chairman of the Presidium of the Supreme Soviet of the USSR and General Secretary of the Central Committee of the Communist Party of the Soviet Union declared: "Consistently following the precepts of the great Lenin, the Soviet State will continue in the future to support the anti-colonial and anti-racist liberation struggle of the peoples of Africa".

The message further expresses confidence that "in the Republic of South Africa, apartheid, a most shameful phenomenon of our times, will assuredly be brought to an end."