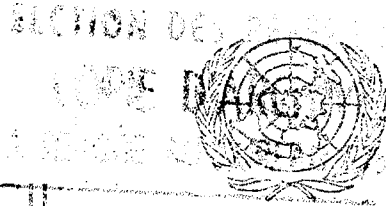


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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION  
AND PUNISHMENT OF THE CRIME OF APARTHEID

Note by the Secretary-General

1. Under article X of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the States parties to the Convention empower the Commission on Human Rights to undertake a number of tasks enumerated therein and, inter alia, to prepare, on the basis of reports from competent organs of the United Nations and periodic reports from States parties, a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for the crimes enumerated in article II of the Convention, as well as those against whom legal proceedings have been undertaken by States parties to the Convention.
2. At its thirty-sixth session, the Commission on Human Rights adopted resolution 12 (XXXVI) of 26 February 1980 by which it took a number of measures to give effect, inter alia, to the provisions of article X of the Convention. In that resolution, the Commission took note of the special report (E/CN.4/1366) prepared by the Ad Hoc Working Group of Experts pursuant to paragraph 17 of Commission resolution 12 (XXXV); expressed its appreciation to the Ad Hoc Working Group of Experts for the objectivity and clarity of the work accomplished; requested the Ad Hoc Working Group of Experts to continue, in co-operation with the Special Committee against Apartheid as appropriate, its compilation of the list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention and of individuals, organizations, institutions and representatives of States against whom or which legal proceedings have been undertaken; requested the Secretary-General to arrange for the publication, in the largest possible number of newspapers, of an account of each case in the list of persons allegedly guilty of the crime of apartheid under the Convention, stating the individuals involved, the victim, the culpable deed and its legal definition, and to bring such accounts to the attention of the public by all other communication media; welcomed the active campaign of the Special Committee against Apartheid in co-operation with the Commission, to give effect to the provisions of the Convention, in response to the Commission's requests under article X of the Convention; reiterated

its request addressed to competent United Nations organs in paragraphs 6 and 7 of its resolution 10 (XXXV) to provide the Commission, through the Secretary-General, with information (i) relevant to the periodic compilation of the list of individuals, organizations, institutions and representatives of States alleged to be responsible for crimes enumerated in article II of the Convention as well as those against whom legal proceedings have been undertaken by States parties to the Convention, and (ii) concerning measures taken by the authorities responsible for the administration of Trust and Non-Self Governing Territories, and all other territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies, with regard to individuals alleged to be responsible for crimes under article II of the Convention who are believed to be under their territorial and administrative jurisdiction; 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".

3. In accordance with paragraph 8 of Commission resolution 12 (XXXVI), the Secretary-General has made appropriate arrangements for the publication in the Bulletin of Human Rights (issue No. 28) of the list of persons allegedly guilty of the crime of apartheid under the Convention. The Secretary-General has further arranged for the circulation of the above-mentioned list to all the United Nations Information Centres around the world with the request that the list be made available to the local media for wider publicity.

4. The Secretary-General also brought to the attention of the following competent organs of the United Nations the text of Commission resolution 12 (XXXVI) and the requests for information contained therein:

(a) Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Special Committee Against Apartheid;

(c) United Nations Council for Namibia.

5. At its 1179th meeting, held on 20 August 1980, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, having regard to Commission resolutions 12 (XXXVI) and 13 (XXXVI) of 26 February 1980 on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, in which the Commission, inter alia, reiterated its call on the competent United Nations organs to furnish it, through the Secretary-General, with information on measures concerning Trust and Non-Self-Governing Territories taken by the administering Powers with respect to the Convention, decided, subject to any directives which it might receive from the General Assembly at its thirty-fifth session, to request the administering Powers concerned to continue to include such information in their annual reports to the Secretary-General under Article 73 e of the Charter.

6. The General Assembly, in its resolution 35/39 of 25 November 1980, inter alia, expressed its appreciation to the Ad Hoc Working Group of Experts of the Commission on Human Rights for the compilation of the list of individuals, organizations, institutions and representatives of States (E/CN.4/1366, annex III) deemed responsible for crimes enumerated in article II of the Convention and called

upon all States parties to give this list the widest possible dissemination; welcomed the efforts of the Commission on Human Rights to undertake the functions set out in article X of the Convention and invited the Commission to intensify, in co-operation with the United Nations Special Committee against Apartheid, its efforts to compile periodically the list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as of those against whom or which legal proceedings have been undertaken; requested the Commission on Human Rights to take into account General Assembly resolution 33/23 of 29 November 1978 [entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa"], as well as the documents on this subject prepared by the Commission and its suborgans reaffirming, inter alia, that States giving assistance to the racist régime in South Africa become accomplices in the inhuman practices of racial discrimination and apartheid; called upon the competent United Nations organs to continue to provide the Commission on Human Rights, through the Secretary-General, with information relevant to the periodic compilation of the above-mentioned list as well as with information concerning the obstacles which prevent the effective suppression and punishment of the crime of apartheid; and requested the Secretary-General to distribute the above-mentioned list among all States parties to the Convention and all States Members of the United Nations, and to bring such facts to the attention of the public by all means of mass communication.

7. Any other relevant information which may be received in response to the requests of the Commission and the directives of the General Assembly will be made available to the Commission in due course.