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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Status of the International Convention on the Suppression  
and Punishment of the Crime of Apartheid

Report of the Secretary-General

I. INTRODUCTION

1. The General Assembly, by its resolution 3068 (XXVIII) of 30 November 1973, adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid and appealed to all States to sign and ratify it as soon as possible.
2. By its resolution 3380 (XXX) of 10 November 1975, the General Assembly, being convinced that ratification of or accession to the International Convention on the Suppression and Punishment of the Crime of Apartheid on a universal basis and implementation of its provisions were necessary for the achievement of the goals of the Decade for Action to Combat Racism and Racial Discrimination, appealed to the Governments of all States to sign, ratify and implement the Convention without delay and requested the Secretary-General to submit to it annual reports on the status of the Convention.
3. By its resolution 31/80 of 13 December 1976, the General Assembly welcomed the entry into force on 18 July 1976 of the Convention; appealed to all States which had not yet become parties to the Convention to accede to it; and decided to consider annually, starting with its thirty-second session, the question entitled "Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid".
4. By its resolution 35/39 of 25 November 1980, the General Assembly expressed its satisfaction at the increase in the number of States which had ratified the Convention or acceded thereto and strongly appealed once again to those States that had not yet become parties to the Convention to ratify it or accede to it without delay.

## II. STATUS OF THE CONVENTION

5. 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.
6. As at 1 September 1981, the Convention had received 35 signatures, 28 of which have been followed by ratification. In addition, 35 States had acceded to the Convention, bringing the total of ratifications and accessions to the Convention to 63. A list of States which have signed, ratified or acceded to the Convention and the dates of their signature, ratification or accession appear in annex I below.
7. In paragraph 5 of its resolution 35/36, the General Assembly requested the Secretary-General to intensify his efforts through appropriate channels to disseminate information on the Convention and its implementation with a view to promoting further ratification or accession to the Convention. In this connexion, reference is made to the further action taken by the Secretary-General under resolution 1 B (XXXII) adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on 5 September 1979.
8. By that resolution, the Sub-Commission decided to establish each year a sessional working group composed of five members of the Sub-Commission with due regard to equitable geographical distribution, to meet during the sessions of the Sub-Commission in order to consider ways and means of encouraging Governments which had not yet done so to ratify or adhere to international human rights instruments, including the International Convention on the Suppression and Punishment of the Crime of Apartheid; and requested the Secretary-General to write to Governments which had not yet accepted the instruments mentioned in that resolution, requesting them to inform the Sub-Commission of the circumstances which so far had not enabled them to ratify or adhere to those instruments and to explain any particular difficulties which they might face, in respect of which the United Nations could offer any assistance.
9. A summary of information received so far from Governments appears in document E/CN.4/Sub.2/452 and Add.1-3 prepared by the Secretary-General for the thirty-fourth session of the Sub-Commission.

## III. IMPLEMENTATION OF THE CONVENTION

10. 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. Copies of the reports shall be transmitted through the Secretary-General to the Special Committee against Apartheid.

11. In accordance with article IX, paragraphs 1 and 3, 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. The group may meet for a period of not more than five days, either before the opening or after the closing date of the session of the Commission, to consider the reports submitted in accordance with article VII.
12. Under article X of the Convention, 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.
13. By its resolution 35/39, the General Assembly 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 Convention; and 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. In paragraph 7 of the same resolution, the Assembly again 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 the reports on its 1979 and 1980 sessions (E/CN.4/1328 and E/CN.4/1358) and to submit their views and comments to the Secretary-General; in paragraph 13 of the resolution, the Assembly requested the Secretary-General to include in his next annual report under Assembly resolution 3380 (XXX) a special section concerning the implementation of the Convention, taking into account the views and comments of States parties to the Convention called for in paragraph 7 of the resolution.
14. The Working Group on the Implementation of the Convention (The Group of Three), established under article IX of the Convention, composed of the representatives of Bulgaria, Cuba and Nigeria appointed by the Chairman of the Commission on Human Rights at its thirty-sixth session, met at the United Nations Office at Geneva from 26 to 30 January 1981. It had before it reports submitted since its 1980 session by 14 States parties.
15. In its report to the Commission on Human Rights at its thirty-seventh session (E/CN.4/1417), 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; and reiterated its recommendation that the general guidelines

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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. The Group also wished to appeal once again 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, in accordance with article VI of the Convention.

16. By its resolution 6 (XXXVII) of 23 February 1981, 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 of Three, and in particular the recommendations contained in it; reiterated its recommendation that States parties should take into consideration when submitting their reports, the guidelines laid down by the Group of Three in 1978 for the submission of reports; requested the Secretary-General to invite the States parties to submit their views and comments on the interim study (E/CN.4/1426) prepared by the Ad Hoc Working Group of Experts of the Commission, in accordance with Commission resolution 12 (XXXVI) on the ways and means of ensuring the implementation of international instruments such as the International Convention on the Suppression and Punishment of the Crime of Apartheid; and decided that the Group of Three appointed in accordance with article IX of the Convention should meet for a period of no more than five days before the thirty-eighth session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention.

17. In accordance with article IX of the Convention and General Assembly resolution 31/80, the Chairman of the Commission, at the thirty-seventh session, appointed the representatives of Bulgaria, Mexico and Nigeria as members of the Group of Three.

18. In pursuance of paragraphs 7 and 13 of General Assembly resolution 35/39, the Secretary-General has taken steps to bring to the attention of the States parties to the Convention and the competent United Nations organs the reports of the Group of Three on its 1979 and 1980 sessions, requesting, in particular, the States parties to submit their views and comments on the conclusions and recommendations of the Group, if possible by 30 June 1981, in order for the Secretary-General to take them into account in the preparation of his annual report on the status and the implementation of the Convention to the Assembly at its thirty-sixth session. The text of the conclusions and recommendations of the Group at its 1979 and 1980 sessions as well as views and comments on them received from States parties up to 31 August 1981 appear in annex II below.

19. In a note verbale dated 20 May 1981, the Secretary-General also brought to the attention of the States parties the relevant provisions of the Convention and Commission resolution 6 (XXXVII), and requested them to submit their reports within the time-limits indicated in Commission resolution 7 (XXXIV) and in time for appropriate transmission to the Group of Three established by the Commission.

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20. As regards the implementation of the provisions of article X of the Convention, the General Assembly, in its resolution 35/39, 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 the 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 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 those against whom or which legal proceedings had been undertaken; requested the Commission on Human Rights to take into account 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"<sup>7</sup>, as well as the documents on that subject prepared by the Commission and its suborgans reaffirming, inter alia, that States giving assistance to the racist régime in South Africa became 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 prevented 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.

21. In accordance with paragraph 12 of General Assembly resolution 35/39, the Secretary-General has made appropriate arrangements for the publication in the Bulletin of Human Rights (issue No. 28) of the list of persons deemed responsible for 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. The Secretary-General has also transmitted, with a note verbale dated 29 May 1981, a copy of the list to all States Members of the United Nations.

ANNEX I

List of States which have signed, ratified or acceded to the  
International Convention on the Suppression and Punishment  
of the Crime of Apartheid

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Algeria	23 January 1974	
Argentina	6 June 1975	
Bahamas		31 March 1981 <u>a/</u>
Barbados		7 February 1979 <u>a/</u>
Benin	7 October 1974	30 December 1974
Bulgaria	27 June 1974	18 July 1974
Burundi		12 July 1978 <u>a/</u>
Byelorussian Soviet Socialist Republic	4 March 1974	2 December 1975
Cape Verde		12 June 1979 <u>a/</u>
Central African Republic		8 May 1981 <u>a/</u>
Chad	23 October 1974	23 October 1974
Cuba		1 February 1977 <u>a/</u>
Czechoslovakia	29 August 1975	25 March 1976
Democratic Kampuchea		28 July 1981 <u>a/</u>
Democratic Yemen	31 July 1974	
Ecuador	12 March 1975	12 May 1975
Egypt		13 June 1977 <u>a/</u>
El Salvador		30 November 1979 <u>a/</u>
Ethiopia		19 September 1978 <u>a/</u>
Gabon		29 February 1980 <u>a/</u>
Gambia		29 December 1978 <u>a/</u>

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a/ Accession.

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
German Democratic Republic	2 May 1974	12 August 1974
Ghana		1 August 1978 <u>a/</u>
Guinea	1 March 1974	3 March 1975
Guyana		30 September 1977 <u>a/</u>
Haiti		19 December 1977 <u>a/</u>
Hungary	26 April 1974	20 June 1974
India		22 September 1977 <u>a/</u>
Iraq	1 July 1975	9 July 1975
Jamaica	30 March 1976	18 February 1977
Jordan	5 June 1974	
Kenya	2 October 1974	
Kuwait		23 February 1977 <u>a/</u>
Liberia		5 November 1976 <u>a/</u>
Libyan Arab Jamahiriya		8 July 1976 <u>a/</u>
Madagascar		26 May 1977 <u>a/</u>
Mali		19 August 1977 <u>a/</u>
Mexico		4 March 1980 <u>a/</u>
Mongolia	17 May 1974	8 August 1975
Nepal		12 July 1977 <u>a/</u>
Nicaragua		28 March 1980 <u>a/</u>
Niger		28 June 1978 <u>a/</u>
Nigeria	26 June 1974	31 March 1977
Oman	3 April 1974	
Panama	7 May 1976	16 March 1977
Peru		1 November 1978 <u>a/</u>
Philippines	2 May 1974	24 January 1978
Poland	7 June 1974	15 March 1976
Qatar	18 March 1975	19 March 1975
Romania	6 September 1974	15 August 1978

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<u>State</u>	<u>Date of signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Rwanda	15 October 1974	23 January 1981
Sao Tome and Principe		5 October 1979 <u>a/</u>
Senegal		18 February 1977 <u>a/</u>
Seychelles		13 February 1978 <u>a/</u>
Somalia	2 August 1974	28 January 1975
Sudan	10 October 1974	21 March 1977
Suriname		3 June 1980 <u>a/</u>
Syrian Arab Republic	17 January 1974	18 June 1976
Trinidad and Tobago	7 April 1975	29 October 1979
Tunisia		21 January 1977 <u>a/</u>
Uganda	11 March 1975	
Ukrainian Soviet Socialist Republic	20 February 1974	10 November 1975
Union of Soviet Socialist Republics	12 February 1974	26 November 1975
United Arab Emirates	9 September 1975	15 October 1975
United Republic of Cameroon		1 November 1976 <u>a/</u>
United Republic of Tanzania		11 June 1976 <u>a/</u>
Upper Volta	3 February 1976	24 October 1978
Viet Nam		9 June 1981 <u>a/</u>
Yugoslavia	17 October 1974	1 July 1975
Zaire		11 July 1978 <u>a/</u>



ANNEX II

Reports of the Group of Three

A. Conclusions and recommendations of the Group of Three, established under article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, at its 1979 session a/

18. The Group recommends that the Commission on Human Rights should appeal to all States which have not yet done so to ratify or accede to the Convention.
19. The Group also recommends to all States parties that have not submitted their reports under article VII of the Convention to do so as soon as possible. In this connexion, the Group reiterates its recommendation that the general guidelines regarding the form and contents of reports to be submitted by States parties 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.
20. The Group considers that a constructive dialogue with the representatives of States parties whose reports are to be discussed is useful for the discharge of its mandate under the Convention. It therefore wishes to invite the States parties concerned, through the Commission on Human Rights, to consider the possibility of sending representatives to be present at future sessions of the Group when reports submitted by them are considered, and requests the Secretary-General to inform the States parties concerned accordingly in advance of its future sessions.
21. The Group, as the only body which consists exclusively of representatives of States parties to the Convention, considers itself duty-bound to express opinions on the situation in connexion with the implementation of the Convention and, therefore, draws the attention of States parties, through the Commission on Human Rights, to the desirability of expressing their views and ideas concerning the terms of reference of the Group under the Convention.
22. The Group wishes once again 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.

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a/ Section IV, paras. 18 to 22, of the report of the Group to the Commission on Human Rights at its thirty-fifth session (E/CN.4/1328).

B. Conclusions and recommendations of the Group of Three, established under article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, at its 1980 session b/

20. The Group expresses concern at the fact that only 54 States have so far become parties to the Convention and recommends that the Commission on Human Rights should appeal to all States which have not yet done so to ratify or accede to the Convention without delay.

21. The Group commends those States parties that have submitted their reports, in particular those which submitted their second reports, and recommends to States parties which have not yet done so to submit their reports as required under article VII of the Convention as soon as possible. In this connexion, the Group calls upon States parties to provide in their reports more comprehensive information on the national and international measures they have taken to implement fully article IV of the Convention, or on the difficulties which they may have encountered in the implementation of that article; and reiterates 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.

22. The Group wishes to draw 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 of Three established under article IX of the Convention. It also recommends that the list of individuals, organizations, institutions and representatives of States responsible for the crimes of apartheid, which will be drawn up by the Commission in accordance with article X of the Convention, be brought to the attention of all States members of the United Nations and be given the widest publicity.

23. The Group wishes once again 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 and, in this connexion, recommends to the Commission on Human Rights 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.

24. The Group also wishes to appeal 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

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b/ Sect. IV, paras. 20 to 24, of the report of the Group to the Commission on Human Rights at its thirty-sixth session (E/CN.4/1358).

the crime of apartheid, in accordance with article VI of the Convention. In this connexion, the Group wishes to draw attention to the importance of strengthening assistance given to the liberation movements in southern Africa.

C. Views and comments of States parties to the Convention  
on the conclusions and recommendations of the Group  
of Three

ECUADOR

/Original: Spanish/  
/17 June 1981/

1. The Government of Ecuador fully agrees with the conclusions and recommendations contained in the documents, especially concerning the need to appeal to States Members of the United Nations to accede to the Convention without delay so that it may enter fully into force, since currently only 62 States are parties to it.

2. The Government of Ecuador also deems it essential that States should submit their periodic reports on the national and international measures they have taken to implement fully article IV of the Convention.

In this connexion, the Government of Ecuador wishes to state that it is preparing its report in conformity with the guidelines contained in document E/CN.4/1286.

3. The Government of Ecuador also agrees with the reference in document E/CN.4/1358, paragraph 22, to the need to take appropriate measures for the dissemination of information relating to the Convention.

4. Finally, the Government of Ecuador fully agrees that an appeal should be made to States parties to strengthen their co-operation at the international level to implement 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. For this purpose, the Government of Ecuador will sign the International Declaration against Apartheid in Sports as soon as it is opened for signature.

GERMAN DEMOCRATIC REPUBLIC

/Original: French/  
/10 July 1981/

On 3 September 1980 (see document A/35/197/Add.1 of 29 September 1980), the German Democratic Republic set forth its position regarding the conclusions and

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recommendations of the Group contained in document E/CN.4/1328. Pursuing this stance, and keeping in mind the conclusions and recommendations of the Group in document E/CN.4/1358, the German Democratic Republic wishes to state the following:

1. The German Democratic Republic deems it extremely important that regular information should be provided on successes and problems in the international struggle against apartheid. Accordingly, it endorses the recommendation in paragraph 22 of the report. The mass media in the German Democratic Republic regularly provide information on the various aspects of the struggle for the elimination of apartheid and the realization of the inalienable right of the South African people to freedom and self-determination. The same holds true with regard to questions relating to the implementation of the Convention.

The text of the Convention was disseminated widely through publication in the official gazette of the German Democratic Republic and in scientific journals. The scientific journals Deutsche Aussenpolitik, Asien, Afrika, Lateinamerika, Neue Justiz and Schriften und Informationen des DDR - Komitees für Menschenrechte have covered various aspects of the implementation of the Convention. The list of individuals, organizations and institutions alleged to be responsible for the crimes of apartheid, published by the United Nations Commission on Human Rights, was brought to the attention of the competent State organs, political organizations and scientific institutions. The scientific journal Schriften und Informationen des DDR - Komitees für Menschenrechte plans to publish this list in the third quarter of 1981.

2. The German Democratic Republic complies strictly with United Nations decisions and resolutions on the elimination of the after-effects of colonialism, racism and apartheid (see annex II B, para. 24). It has no relations with the South African apartheid régime and endeavours to ensure that effective measures are taken to isolate the apartheid régime at the international level and to eliminate it. This is why, during the recent series of meetings of the United Nations Security Council, the German Democratic Republic voted in favour of the draft resolution calling for broad sanctions against South Africa, and why it took an active part in the conference on sanctions held in Paris. In conformity with its policy of principle aimed at the preservation and consolidation of peace, the German Democratic Republic provides integral support to the peoples struggling for national and social liberation.

NICARAGUA

/Original: Spanish/  
/25 June 1981/

The Nicaraguan Government agrees with these conclusions and recommendations. It participates in and supports all United Nations decisions promoting an end to the policy and practice of apartheid, which is a crime against humanity and a threat to world peace. In the light of the foregoing and on the basis of the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man and the many conventions it has ratified, as well as its domestic legislation, especially its fundamental statute and statute of the rights and guarantees of the Nicaraguan people, the Revolutionary Government of Nicaragua disavows, condemns and rejects all practical and ideological forms based on racial intolerance, hatred and terror, such as the crime of apartheid.

PHILIPPINES

/Original: English/  
/29 June 1981/

1. On paragraph 22 of document E/CN.4/1358, the Philippines welcomes the suggestion that, inter alia, measures be taken on the dissemination of information relating to the Convention and the drawing-up of a list of individuals, organizations or institutions responsible for the crimes of apartheid.
2. Concerning a periodic report on apartheid, the Philippines Government has never practised apartheid nor adopted any racial or segregationist policies. Neither has any crime of apartheid been committed in the Philippines. Nevertheless, the Ministry of Foreign Affairs is conducting a study on what recommendations should be made to appropriate authorities, for the adoption of legislative, judicial, administrative or other measures to give effect to the provisions of the Convention.
3. The Philippines has adopted, initiated or supported other measures or other manifestations against apartheid, as follows:
  - (a) Contributions to the specialized funds and activities in furtherance of the international struggle against apartheid such as the Support and Solidarity Fund for the Liberation of Southern Africa; the United Nations Fund for Namibia; the United Nations Institute for Namibia at Lusaka; the United Nations fund for the "front-line" States; and the Trust Fund for Publicity against Apartheid;
  - (b) Enactment of Presidential Decree No. 1350-A of 17 April 1978 declaring violation of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination to be unlawful and providing penalties thereof;

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(c) The Philippines has no relations whatsoever with the minority régime of South Africa and Namibia; and has diligently observed all United Nations resolutions against South Africa;

(d) The Philippines has issued circulars and related instructions to its Foreign Service establishments concerning the ban on travel and commercial relations with South Africa and its nationals;

(e) The Philippines has withdrawn or refused to participate in sporting and other international competitions which included the representatives of the apartheid régime in South Africa. For example, in 1977, the Philippine Government withdrew its candidate during the finals in the Miss World Contest in London;

(f) The Philippines, in line with its policy against apartheid, conducted a series of conferences/seminars on apartheid and decolonization during the month of May 1981. A Conference of Solidarity with the Colonial Peoples of South Africa was held in the National Library Auditorium, Rizal Park, Manila on 30 May 1981. During the said Conference, the message of the Philippine Foreign Minister was read by the Chairman. Also, the Acting Director-General, Office of United Nations and International Organizations of the Philippine Ministry of Foreign Affairs, delivered a statement on "Philippine participation in the struggle against apartheid and for the decolonization of southern Africa." Other speakers were the representative of the United Nations Information Centre, Manila, who spoke on the "United Nations actions against apartheid," and a professor of the University of the Philippines Law Center, who read a paper - "Apartheid: A crime against humanity."

4. With reference to paragraphs 18, 19 and 20 of the report of the Group of Three (E/CN.4/1328 dated 2 February 1979), the Philippines concurs in the Group's conclusions and recommendations.

5. With respect to the terms of reference of the Group, article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, and the establishment of the international penal tribunal (E/CN.4/1358, para. 23), the comments of the Philippines were already embodied in document A/35/197 of 29 August 1980.

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