

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/CN.4/1983/24/Add.5  
14 October 1982

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS  
Thirty-ninth 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

CZECHOSLOVAKIA 1/

[20 August 1982]

The ideology, manifestations and practice of racism and apartheid are elements absolutely inconsistent with the internal and foreign policies of the Czechoslovak state. The Czechoslovak Constitution as well as other relevant Czechoslovak laws and regulations contain precise provisions which exclude the existence and practices of the policy of racism and apartheid. Article 30 of the Czechoslovak Constitution stipulates that "all citizens have equal rights and duties" whereby it explicitly stresses that the Constitution guarantees such equality to the citizens regardless of their nationality and race. Of course, such emphasized inadmissibility of any national and racial discrimination is exemplary and the principle laid down in article 20, para 1, of the Constitution is generally applicable, which means that any discrimination for reasons other than national and racial is neither permitted.

The equality of citizens, as declared in and guaranteed by the provision of article 20, para 1, of the Constitution, covers all social contacts including family relations as well as the entire public life and legislation in the Czechoslovak Socialist Republic. It means, above all, that the citizens of the Czechoslovak Socialist Republic enjoy equal political rights. This is explicitly stated in article 2, para 3, of the Constitutional Act on Czechoslovak Federation which reads as follows: "The political rights of citizens and the guarantees of their exercise are the same in the whole territory". All citizens also enjoy equal social rights guaranteed in articles 21 and 22 of the Constitution.

Not only is the equality of citizens embodied in laws but it is also actually guaranteed by the social and economic system in the Czechoslovak Socialist Republic which, in accordance with article 20, para 4, of the Constitution, provides equal possibilities and opportunities to all citizens in all spheres of social life.

---

1/ The initial report submitted by the Government of Czechoslovakia (E/CN.4/1277/Add.6) was considered by the Group of Three at its 1978 session.

Legal protection against discrimination is provided especially by section 198 of the Penal Code, which declares the defaming of a nation, race or conviction as a criminal act, and also by section 196, para 2, which, inter alia, makes punishable the use or a threat of violence against a group of inhabitants or an individual because of their nationality, race, religion or because they are without confession etc.

The equality of minorities in the Czechoslovak Socialist Republic is guaranteed both by the whole Constitutional Act on Czechoslovak Federation No 143/1968 and by the Constitutional Act on the Status of Nationalities in the Czechoslovak Socialist Republic No 144/1968 which, inter alia, states that the appurtenance of a citizen to any nationality cannot prejudice his or her conduct in political, economic and social life.

Citizens of a nationality which does not constitute an ethnical group are granted equal rights and duties by article 30 of the Constitution of the Czechoslovak Socialist Republic.

A detailed information on the Czechoslovak legislative arrangements which correspond to articles II, IV and IX was given by the Czechoslovak Socialist Republic in its latest report on the implementation of the Convention submitted in 1978.

The Czechoslovak Socialist Republic has for years adhered to and is an active component of the international efforts aimed at eradicating all forms of racism including its worst offshoot - the theory and practice of apartheid. Czechoslovakia was among the first countries to become a State party to the Convention. However, already prior to the Convention the Czechoslovak legal regulations and the basic principles of the Czechoslovak foreign policy precluded racism and apartheid from originating in the territory of the Czechoslovak Socialist Republic or from finding Czechoslovak support at whatever part of the world they might have emerged.

Czechoslovakia promotes all efforts aimed at making the International Convention on the Suppression and Punishment of the Crime of Apartheid a universal document. On each occasion it stresses the imperative need for signing, ratifying or acceding to the Convention by those States that, through their extensive political, military, economic or other forms of assistance, help prolong the existence of the monstrous system of apartheid in South Africa and in the territory of Namibia.

The efforts exerted by the United Nations for many years and designed to eradicate racism and apartheid in certain parts of the world find great understanding and support of the Czechoslovak people. The Czechoslovak public, through a broad network of the mass media, is provided with a detailed information on the manifestation of racism and apartheid throughout the world including the reasons for them. It is a result of the Marxist-Leninist education of the children and youth that racial prejudices of any kind are unknown to Czechoslovak citizens. In contrast, Czechoslovak citizens feel natural solidarity with the nations struggling for freedom, independence, against the manifestations of racism, apartheid, zionism. Consequently, the policy of the Czechoslovak Government designed to provide political, material and moral support to the respective national liberation movements in South Africa and Namibia, which fight for freedom and independence of their people, is strongly upheld by Czechoslovak citizens.

Czechoslovakia, as a recent member of the United Nations Security Council and an old member of the Decolonization Committee, has never spared any efforts so that the United Nations Organization and all its competent bodies adopt expedient and effective measures against the most flagrant neglecter of all recognized fundamental international norms, against the Government of South Africa. In the mentioned United Nations bodies and also on other occasions Czechoslovakia has resolutely demanded and is going to demand also in future that sanctions be imposed by all States of the world on the racist regime of South Africa. Czechoslovakia maintains no contacts with the racist regime of South Africa. Upon the United Nations appeal, the Government of the Czechoslovak Socialist Republic has broken all its diplomatic, economic, cultural and other contacts with South Africa as long ago as 1963.

At various international fora dealing with the questions of human rights Czechoslovakia is strongly advocating that the policies of those regimes which put into practice racism and apartheid should be the subject of primary and thorough consideration. The policy of racism and of its most dishonest form - the apartheid finds its expression in a massive, rough and systematic trampling down of the human rights of innocent people. It is pursued by the Government of South Africa on the basis of questionable racial theories in order to preserve the privileged status of the white minority. The motivation of profit is also one of the reasons why the Governments of some Western countries maintain an all-round co-operation with the regime of South Africa and thus help preserve this inhumane policy of apartheid directed against the non-white population of South Africa and Namibia.

Therefore, the Czechoslovak Socialist Republic is of the opinion that any violation of the sanctions imposed on South Africa is a hostile act against the United Nations and advocates the adoption of other effective measures conducive to a definitive eradication of the policy of racism and apartheid.