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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 1982, the Convention had been ratified or acceded to by 69 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-seventh session, held its fifth (1982) session at the United Nations Office at Geneva from 23 to 29 January 1982. It had before it a note by the Secretary-General (E/CN.4/1505) concerning the status of the Convention and the submission of reports by States parties under article VII, as well as reports submitted by ten States parties since its fourth (1981) session which were considered by the Group in the presence of the representatives of the reporting States. A list indicating the status of submission of reports by States parties since the entry into force of the Convention and the consideration of those reports by the Group of Three appear in annex II below.
6. In its report to the Commission on Human Rights at its thirty-eighth session (E/CN.4/1507), the Group, inter alia, urged those States parties which had not yet done so to submit their reports as required under article VII of the Convention as soon as possible and 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. It called upon States parties to provide in their reports full information on the legislative, judicial and administrative measures they have adopted to give effect to the provisions of article IV of the Convention, or on the difficulties which they may have encountered in the implementation

of that article; and invited once again States parties, through the Commission on Human Rights, to submit their views on the interim study (E/CN.4/1426) prepared by the Ad Hoc Working Group on Experts on southern Africa 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. The Group also appealed once again to States parties, through the Commission, to strengthen their co-operation at the international level to implement fully the decisions of the Security Council and other competent organs of the United Nations aimed at the prevention, suppression and punishment of the crime of apartheid; drew attention to the importance of strengthening the assistance given to the national liberation movements in southern Africa; drew the attention of States parties, through the Commission, to the desirability of disseminating more information about the Convention, the implementation of its provisions by States parties as well as the work of the Group of Three; and recommended that the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention be brought to the attention of all States parties to the Convention and all Member States of the United Nations in accordance with General Assembly resolution 36/13 of 28 October 1981, and be given the widest publicity.

7. In its resolution 1982/10 of 25 February 1982, the Commission on Human Rights, inter alia, took note with appreciation of the report of the Group of Three and in particular the conclusions and recommendations contained in it; commended those States parties that had submitted their reports and urged those States parties that had not yet done so to submit their reports as soon as possible; again called upon States which had not yet done so to ratify or accede to the Convention without delay; recommended once again that all States parties should take full account of the general guidelines laid down by the Group of Three in 1978 for the submission of reports; again 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, in accordance with Commission resolution 12 (XXXVI), on the ways and means of ensuring the implementation of the Convention; and decided that the Group of Three should meet for a period of no more than five days before the thirty-ninth session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention.

8. In accordance with article IX of the Convention, the Chairman of the Commission, at the thirty-eighth session, appointed the representatives of Bulgaria, Mexico and Zaire as members of the Group.

9. In a note dated 25 May 1982, the Secretary-General brought to the attention of States parties the relevant provisions of the Convention and Commission resolution 1982/10 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 sixth (1983) session and to the Commission at its thirty-ninth session.

10. In a further note dated 30 August 1982, the Secretary-General drew the attention of States parties to paragraph 5 of Commission resolution 1982/10 and invited them to submit their views and comments on the interim study (E/CN.4/1426) prepared by the

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.

Ad Hoc Working Group of Experts on southern Africa concerning the ways and means of ensuring the implementation of the Convention. The replies received from States parties were made available to the Ad Hoc Working Group of Experts for examination.

11. By its resolution 37/47 of 3 December 1982, the General Assembly, inter alia, commended those States parties to the Convention that had submitted their reports under article VII of the Convention, in particular those which had presented their second reports, and appealed to those States parties that had not yet done so to submit their reports as soon as possible; appealed once again to those States that had not yet done so to ratify or to accede to the Convention without further delay; called upon all States parties to the Convention 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 enumerated in article II of the Convention; again called upon all States parties to the Convention and the competent United Nations organs to consider the conclusions and recommendations of the Group of Three contained in its reports and to submit their views and comments to the Secretary-General; requested the Secretary-General to intensify his efforts through appropriate channels to disseminate information on the Convention and its implementation with a view to further promoting ratification of or accession to the Convention; requested the Commission on Human Rights to continue 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 progressive 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 resolutions 33/23 of 29 November 1978 and 35/32 of 14 November 1980 as well as relevant documents of the Commission and its suborgans reaffirming inter alia, that States giving assistance to the racist regime of South Africa become accomplices in the inhuman practices of racial discrimination and apartheid; called upon States parties to the Convention and 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; requested the Secretary-General to distribute the above-mentioned list among all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication; and appealed to all States, United Nations organs, specialized agencies and international and national non-governmental organizations to step up their activities in enhancing public awareness through denouncing the crimes committed by the racist regime of South Africa.

12. Since the thirty-eighth session of the Commission, the following States parties to the Convention submitted their reports: Cuba (E/CN.4/1983/24/Add.1), Ecuador (E/CN.4/1983/24/Add.2), Cape Verde (E/CN.4/1983/24/Add.3), St. Vincent and the Grenadines (E/CN.4/1983/24/Add.4), Czechoslovakia (E/CN.4/1983/24/Add.5) and India (E/CN.4/1983/24/Add.6). These reports will be available to the Group of Three for examination at its sixth (1983) session and to the Commission on Human Rights at its thirty-ninth session. Any other reports which may be received by the Secretary-General before the Commission's session will be issued in further addenda to document E/CN.4/1983/24.

ANNEX I

States parties to the International Convention on the
Suppression and Punishment of the Crime of Apartheid

<u>State party</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
Algeria	26 May 1982	25 June 1982
Antigua and Barbuda	7 October 1982 a/	6 November 1982
Bahamas	31 March 1981 a/	30 April 1981
Barbados	7 February 1979 a/	9 March 1979
Benin	30 December 1974	18 July 1976
Bulgaria	18 July 1974	18 July 1976
Burundi	12 July 1978 a/	11 August 1978
Byelorussian Soviet Socialist Republic	2 December 1975	18 July 1976
Cape Verde	12 June 1979 a/	12 July 1979
Central African Republic	8 May 1981 a/	7 June 1981
Chad	23 October 1974	18 July 1976
Cuba	1 February 1977 a/	3 March 1977
Czechoslovakia	25 March 1976	18 July 1976
Democratic Kampuchea	28 July 1981	27 August 1981
Ecuador	12 May 1975	18 July 1976
Egypt	13 June 1977 a/	13 July 1977
El Salvador	30 November 1979 a/	30 December 1979
Ethiopia	19 September 1978 a/	19 October 1978
Gabon	29 February 1980 a/	30 March 1980
Gambia	29 December 1978 a/	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 a/	30 October 1977
Haiti	19 December 1977	18 January 1978
Hungary	20 June 1974	18 July 1976
India	22 September 1977 a/	22 October 1977
Iraq	9 July 1975	18 July 1976
Jamaica	18 February 1977	20 March 1977
Kuwait	23 February 1977 a/	25 March 1977
Lao People's Democratic Republic	5 October 1981 a/	4 November 1981
Liberia	5 November 1976 a/	5 December 1976
Libyan Arab Jamahiriya	8 July 1976 a/	7 August 1976
Madagascar	26 May 1977 a/	25 June 1977
Mali	19 August 1977 a/	18 September 1977
Mexico	4 March 1980 a/	3 April 1980
Mongolia	8 August 1975	18 July 1976
Namibia	11 November 1982 a/	11 December 1982
Nepal	12 July 1977 a/	11 August 1977
Nicaragua	23 March 1980 a/	27 April 1980
Niger	28 June 1978 a/	28 July 1978
Nigeria	31 March 1977	30 April 1977

a/ Accession

<u>State party</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force</u>
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	18 July 1976
Romania	15 August 1978	14 September 1978
Rwanda	23 January 1981	22 February 1981
Saint Vincent and the Grenadines	9 November 1981 <u>a/</u>	9 December 1981
Sao Tome and Principe	5 October 1979 <u>a/</u>	4 November 1979
Senegal	18 February 1977 <u>a/</u>	20 March 1977
Seychelles	13 February 1978 <u>a/</u>	15 March 1978
Somalia	28 January 1975 <u>a/</u>	18 July 1976
Sri Lanka	18 February 1982 <u>a/</u>	20 March 1982
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 Cameroon	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
Viet Nam	9 June 1981 <u>a/</u>	9 July 1981
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>
Algeria	-	-	-
Antigua and Barbuda	-	-	-
Bahamas	-	-	-
Barbados	E/CN.4/1505/Add.1	17 July 1981	1982 session
Benin	-	-	-
Bulgaria	E/CN.4/1277/Add.7 E/CN.4/1353/Add.10	4 January 1978 5 February 1980	1978 session 1981 session
Burundi	E/CN.4/1415/Add.8	12 November 1980	1981 session
Byelorussian Soviet Socialist Republic	E/CN.4/1277/Add.14 E/CN.4/1415/Add.4	8 February 1978 6 October 1980	1979 session 1981 session
Cape Verde	E/CN.4/1983/24/Add.3 */	25 June 1982	-
Central African Republic	-	-	-
Chad	-	-	-
Cuba	E/CN.4/1277/Add.8 E/CN.4/1353/Add.7 E/CN.4/1983/24/Add.1 */	3 January 1978 28 January 1980 15 March 1982	1978 session 1981 session -
Czechoslovakia	E/CN.4/1277/Add.6 E/CN.4/1983/24/Add.5 */	20 December 1977 20 August 1982	1978 session -
Democratic Kampuchea	-	-	-
Ecuador	E/CN.4/1983/24/Add.2 */	30 April 1982	-
Egypt	E/CN.4/1415/Add.7/Rev.1	12 November 1980	1981 session
El Salvador	-	-	-
Ethiopia	-	-	-

*/ Scheduled for consideration by the Group of Three at its sixth (1983) 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>
Gabon	-	-	-
Gambia	-	-	-
German Democratic Republic	E/CN.4/1277/Add.4 E/CN.4/1353/Add.4 E/CN.4/1505/Add.8	29 November 1977 7 January 1980 7 December 1981	1978 session 1980 session 1982 session
Ghana	-	-	-
Guinea	-	-	-
Guyana	-	-	-
Haiti	-	-	-
Hungary	E/CN.4/1277/Add.16 E/CN.4/1353/Add.6 E/CN.4/1505/Add.6	14 February 1978 15 January 1980 6 October 1981	1979 session 1980 session 1982 session
India	E/CN.4/1353/Add.5 E/CN.4/1983/24/Add.6 ✓	14 January 1980 7 October 1982	1980 session -
Iraq	E/CN.4/1353/Add.3 E/CN.4/1505/Add.5	28 December 1979 18 September 1981	1980 session 1982 session
Jamaica	-	-	-
Kuwait	E/CN.4/1277/Add.1	16 August 1977	1978 session
Lao People's Democratic Republic	-	-	-
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	1981 session
Mexico	E/CN.4/1505/Add.3	24 August 1981	1982 session
Mongolia	E/CN.4/1505/Add.7	27 October 1981	1982 session
Namibia	-	-	-
Nepal	-	-	-
Nicaragua	-	-	-
Niger	-	-	-

<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>
Nigeria	E/CN.4/1277/Add.12 E/CN.4/1415/Add.9	1 February 1978 22 January 1981	1978 session 1981 session
Panama	E/CN.4/1277/Add.2	31 August 1977	1978 session
Peru	-	-	-
Philippines	-	-	-
Poland	E/CN.4/1277/Add.15 E/CN.4/1353/Add.11	10 February 1978 10 March 1980	1979 session 1981 session
Qatar	E/CN.4/1415/Add.1 E/CN.4/1505/Add.4	25 June 1980 15 September 1981	1981 session 1982 session
Romania	E/CN.4/1415/Add.6	3 November 1980	1981 session
Rwanda	-	-	-
Saint Vincent and the Grenadines	E/CN.4/1983/24/Add.4 */	30 June 1982	-
Sao Tome and Principe	-	-	-
Senegal	E/CN.4/1277/Add.10	11 January 1978	1978 session
Seychelles	-	-	-
Somalia	-	-	-
Sri Lanka	-	-	-
Sudan	-	-	-
Suriname	-	-	-
Syrian Arab Republic	E/CN.4/1277/Add.9 E/CN.4/1353/Add.2 E/CN.4/1505/Add.10	9 January 1978 18 December 1979 18 January 1982	1978 session 1980 session 1982 session
Trinidad and Tobago	-	-	-
Tunisia	E/CN.4/1353/Add.9	30 January 1980	1981 session
Ukrainian Soviet Socialist Republic	E/CN.4/1277/Add.17 E/CN.4/1415/Add.5	17 March 1978 28 October 1980	1979 session 1981 session
Union of Soviet Socialist Republics	E/CN.4/1277/Add.11 E/CN.4/1415/Add.2 E/CN.4/1505/Add.9	20 January 1978 25 August 1980 17 December 1981	1978 session 1981 session 1982 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>
United Arab Emirates	E/CN.4/1277/Add.5 E/CN.4/1353/Add.1 E/CN.4/1505/Add.2	9 December 1977 23 July 1979 5 August 1981	1978 session 1980 session 1982 session
United Republic of Cameroon	E/CN.4/1277/Add.3	6 October 1977	1978 session
United Republic of Tanzania	-	-	-
Upper Volta	-	-	-
Viet Nam	-	-	-
Yugoslavia	E/CN.4/1353/Add.8	28 January 1980	1981 session
Zaire	-	-	-