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THIRD COMMITTEE
Agenda item 86 (c)

ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

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

Barbados, Benin, Bulgaria, Burundi, Cuba, Egypt, Ethiopia, German
Democratic Republic, Ghana, Guinea, Hungary, India, Iraq, Libyan
Arab Jamahiriya, Madagascar, Mongolia, Philippines, Senegal, Syrian
Arab Republic, Ukrainian Soviet Socialist Republic and Yugoslavia:
draft resolution

The General Assembly,

Recalling its resolution 3068 (XXVIII) of 30 November 1973, by which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid, and its resolutions 3380 (XXV) of 10 November 1975, 31/80 of 13 December 1976, 32/12 of 7 November 1977 and 33/103 of 16 December 1978,

Recalling also resolutions 13 (XXXIII) of 11 March 1977, 7 (XXXIV) of 22 February 1978 and 10 (XXXV) of 5 March 1979 of the Commission on Human Rights,

Welcoming the Final Declaration and resolutions concerning the situation in southern Africa adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,

Convinced that the Declaration and the Programme for Action (A/33/262) adopted by the World Conference to Combat Racism and Racial Discrimination (Geneva, 14-25 August 1978) are an important and constructive contribution to the struggle against apartheid, racism and all forms of racial discrimination,

Noting that the conduct of the International Anti-Apartheid Year contributed to the achievements of the goals of the Convention,

Reaffirming its firm conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations and is a gross

violation of human rights and a crime against humanity, seriously disturbing and threatening international peace and security,

Noting that the racist régime of South Africa is stepping up its policy of apartheid, repression, bantustanization and aggression, in flagrant defiance of United Nations resolutions, is continuing to occupy Namibia illegally and is perpetuating on Namibian territory its odious policy of apartheid and racial discrimination,

Deeply concerned at the continued collaboration of certain Governments and transnational corporations with the South African racist régime in the political, economic, military and other fields, thus encouraging it to persist in the brutal suppression of the peoples in South Africa,

Underlining that ratification of and accession to the Convention on a universal basis and implementation of its provisions without any delay are necessary for its effectiveness and would be a useful contribution towards achieving the goals of the Decade for Action to Combat Racism and Racial Discrimination,

Taking into account Security Council resolution 418 (1977) of 4 November 1977 as a useful step towards achieving the purposes of the Convention,

Firmly convinced that the legitimate struggle of the oppressed peoples in southern Africa against apartheid, colonialism and racial discrimination and for the effective implementation of their inalienable and legitimate rights, including their right to self-determination, demands more than ever all necessary support by the international community and, in particular, further action by the Security Council,

1. Takes note of the report of the Secretary-General (A/34/442) on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid;

2. Expresses its satisfaction with the increase in the number of States which have ratified the Convention or acceded thereto;

3. Commends States parties to the Convention that have submitted their reports under article VII of the Convention and urges other States to do so as soon as possible, taking fully into account the guidelines 1/ prepared by the Group of Three established in accordance with article IX of the Convention;

4. Appeals once again to all States which have not yet become parties to the Convention to ratify it or accede to it without delay;

5. Requests the Secretary-General to take measures through appropriate channels on the dissemination of information on the Convention with the aim of promoting further ratification or accession thereto;

1/ See E/CN.4/1286, annex.

6. Calls upon States parties to fully implement 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;

7. Calls upon all States parties to the Convention and the competent United Nations organs to consider the conclusions and recommendations of the Group of Three, established in accordance with article IX of the Convention, contained in its report (E/CN.4/1328) and to submit their views and comments to the Secretary-General;

8. Welcomes the efforts of the Commission on Human Rights to undertake the functions set out in article X of the Convention and invites the Commission to continue its efforts, especially with a view to preparing periodically a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for crimes enumerated in article II of the Convention, as well as those against which legal proceedings have been undertaken;

9. Calls 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;

10. Requests the Commission on Human Rights to take into account, in preparing the above-mentioned list, General Assembly resolution 33/23 of 29 November 1978 as well as all the documents on the subject prepared by the Commission and its suborgans;

11. Requests the Secretary-General to distribute the above-mentioned list among all States parties to the Convention and all Member States of the United Nations;

12. Requests the Secretary-General to include in his next annual report under General 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 present resolution.
