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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Afghanistan, Bulgaria, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Hungary, India, Lao People's Democratic Republic, Madagascar, Mongolia, Nicaragua, Nigeria, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic and Viet Nam:
draft resolution

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

The General Assembly,

Recalling its resolutions 41/103 of 4 December 1986 and 42/56 of 30 November 1987,

Mindful that the International Convention on the Suppression and Punishment of the Crime of Apartheid 1/ constitutes an important international treaty in the field of human rights and serves to the implementation of the ideals of the Universal Declaration of Human Rights, 2/

Reaffirming its conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations, a gross violation of human rights and a crime against humanity, seriously threatening international peace and security,

1/ Resolution 3068 (XXVIII), annex.

2/ Resolution 217 A (III).

Alarmed by the aggravation of the situation in South Africa, in particular the further escalation of ruthless repression by the Fascist-like apartheid régime,

Mindful of Commission of Human Rights resolution 1988/14 of 22 February 1988 ^{3/} expressing the conviction that the crime of apartheid is a form of the crime of genocide,

Stressing that the root-cause of the conflict in southern Africa is the policy of apartheid and that only the total eradication of apartheid can lead to a peaceful and lasting solution in southern Africa,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of apartheid,

Firmly convinced that the legitimate struggle of the oppressed peoples in southern Africa against apartheid, racism and colonialism and for the effective implementation of their inalienable right to self-determination and independence demands more than ever all necessary support by the international community and, in particular, further action by the Security Council in accordance with Chapter VII of the Charter of the United Nations,

Underlining that ratification of and accession to the Convention on a universal basis and the implementation of its provisions without any delay are necessary for its effectiveness, and therefore will contribute to the eradication of the crime of apartheid,

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid; ^{4/}
2. Commends those States parties to the Convention that have submitted their reports under article VII thereof;
3. Appeals once again to those States that have not yet done so to ratify or to accede to the Convention without further delay, in particular those States which have jurisdiction over transnational corporations operating in South Africa and Namibia, and without whose co-operation such operations could not be halted;
4. Underlines the conviction of the States parties to the Convention that the accession of all States to the Convention would be an effective contribution to fulfil the ideals of the Universal Declaration of Human Rights, the fortieth anniversary of which is being celebrated;

^{3/} Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

^{4/} A/43/516.

5. Takes note with appreciation of the report of the Group of Three of the Commission on Human Rights 5/ which was set up under the International Convention on the Suppression and Punishment of the Crime of Apartheid and, in particular, of the conclusions and recommendations contained in that report;

6. Draws the attention of all States to the opinion expressed by the Group of Three in its report that transnational corporations operating in South Africa and Namibia must be considered accomplices in the crime of apartheid, in accordance with article III (b) of the International Convention on the Suppression and Punishment of the Crime of Apartheid; 6/

7. Calls on all States whose transnational corporations continue to do business with South Africa and Namibia to take appropriate steps to terminate their dealings with South Africa and Namibia;

8. Requests the Commission on Human Rights 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 those against whom or which legal proceedings have been undertaken;

9. Requests the Secretary-General to circulate 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;

10. Requests the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

11. Notes the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;

12. Appeals to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities in enhancing public awareness by denouncing the crimes committed by the racist régime of South Africa;

13. Requests 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 of or accession to the Convention;

5/ E/CN.4/1988/32.

6/ Ibid., para. 34.

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14. ~~Requests~~ the Secretary-General to include in his next annual report under General Assembly resolution 3380 (~~XXX~~) of 10 November 1975 a special section concerning the implementation of the Convention.
