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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

YUGOSLAVIA \*/

[27 January 1988]

1. Yugoslavia's position on the policy and practice of apartheid is one of the strongest condemnation and Yugoslavia therefore calls for an urgent uprooting of this harshest form of racial discrimination. Yugoslavia has consistently advocated this position from the very beginning of the consideration of the issue in the United Nations; it has sponsored the majority of the relevant resolutions in the General Assembly and other bodies and organs within the United Nations system and has played an active part at conferences dealing with the problem of racial discrimination; it has also proposed the introduction of comprehensive sanctions against the South African régime pursuant to chapter VII of the Charter of the United Nations.

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\*/ The initial, second and third reports submitted by the Government of Yugoslavia (E/CN.4/1353/Add.8, E/CN.4/1983/24/Add.7 and E/CN.4/1985/26/Add.2) were considered by the Group of Three at its 1981, 1983 and 1985 sessions respectively.

2. Yugoslavia's overall activity at the international level regarding the problem of apartheid is based on a principled policy and on national legislation, as well as on measures adopted as early as 1963 and 1971, banning the maintenance of any relations with the racist régime of South Africa (and preventing its international affirmation).

3. Yugoslavia has been particularly active in the United Nations Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples of which it has been a member since the establishment of that body. On account of its consistent support for the anti-colonial struggle, Yugoslavia was entrusted with the task of hosting the special session of the Special Committee in April 1979, on the occasion of the twentieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. Yugoslavia took an active part in the work of international conferences on sanctions against the South African régime, advocating the adoption of substantial documents which would reflect more consistently the principle positions of the non-aligned countries.

5. From the very start, Yugoslavia actively participated in all activities in support of the liberation struggle of the Namibian people and its representative the South West Africa People's Organization (SWAPO), in all organs and organizations within the United Nations system. As Vice-President of the United Nations Council for Namibia, since its foundation, Yugoslavia has been one of the most active countries in condemning the policy and practice of the South African régime, pledging its unconditional support to the Namibian people and its sole legitimate representative, SWAPO. This position is also reflected in Yugoslavia's activity within the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

6. Yugoslavia has regularly sponsored all resolutions on the question of Namibia in the General Assembly, endeavouring to ensure the widest possible support for them and pressing for the urgent implementation of the United Nations plan for the independence of Namibia. It is along these lines that the Yugoslav delegation takes part in the work of the Security Council whenever the question of Namibia arises, calling for the implementation of Security Council resolutions 385 (1976) and 435 (1978) without further delay.

7. At the same time, within the Movement of Non-Aligned Countries, Yugoslavia has been engaged in providing its political, diplomatic and material support to the struggle against colonialism and apartheid. At all meetings of non-aligned countries, Yugoslavia has advocated the adoption of positions truly reflecting the interests of the peoples and liberation movements in southern Africa and providing the most realistic framework for eliminating apartheid and gaining independence for Namibia.

8. Yugoslavia's prominent role in dealing with these questions was recognized at the Eighth Summit Conference of Heads of State or Government of the movement of the Non-Aligned countries, which is reflected by the fact that it was a member of both ministerial committees (on Namibia and on sanctions) and also in its election to the AFRICA Fund Committee. Yugoslavia will continue to assist and support implementation of the goals of the Movement of Non-Aligned Countries. It will make every effort to influence the key factors with a view to bringing about a speedy elimination of apartheid.

II

9. In compliance with the commitment provided for in article VII of the International Convention on the Suppression and Punishment of the Crime of Apartheid (hereinafter "the Convention"), the Socialist Federal Republic of Yugoslavia presented, in its three previous reports, information about the manner of ensuring the implementation of the obligations arising from the Convention through the national legislation of Yugoslavia.

10. The Constitution of Yugoslavia, the constitutions of the Socialist Republics and Socialist Autonomous Provinces and the criminal legislation provide for protection against all forms of discrimination considered, in the sense of article II of the Convention, to constitute the "crime of apartheid".

11. As stressed in previous reports, Yugoslavia fully ensures the implementation of the Convention in its national legislation. In the period from the submitting of previous reports, no changes have been introduced in Yugoslav legislation related to the "crime of apartheid" and Yugoslavia's obligations arising from the Convention.

12. Proceeding from the conviction that the peaceful coexistence and active co-operation of equal States and peoples, regardless of their different social systems, are the necessary precondition for peace and social progress in the world, the Socialist Federal Republic of Yugoslavia maintains its international relations on the basis of the principles of respect for national sovereignty and equality, non-interference in internal affairs of other States and settlement of international disputes by peaceful means. In its international relations, Yugoslavia adheres to the principles contained in the Charter of the United Nations, fulfills its international obligations and participates actively in the activities of the international organizations of which it is a member.

13. In order to implement these principles, the Socialist Federal Republic of Yugoslavia supports the following:

(a) The establishment and development of all forms of international co-operation contributing to the strengthening of peace, promotion of mutual respect, equality and friendship among peoples and States and of their rapprochement; the broadest and freest possible exchange of material and intellectual achievements; the freedom of mutual information and the development of other forms of relations contributing to the realization of common economic, cultural and other interests of States and peoples, and particularly to the promotion of democratic and socialist relations in international co-operation as well as to social progress as a whole; the overcoming of the bloc division of the world; the rejection of use or threat of use of force in international relations and the realization of general and complete disarmament;

(b) The right of each nation freely to chose ways and means to establish and build their social and political system;

(c) The right of peoples to self-determination and national independence and their right to conduct a liberation struggle in order to achieve these goals;

(d) Respect for the right of national minorities, including the rights of a part of Yugoslav peoples living in other countries as national minorities;

(e) International support for peoples waging a just struggle for their national independence and liberation from imperialism, colonialism and all other forms of national subjugation and oppression;

(f) The development of such international co-operation as ensures equitable economic relations in the world, sovereign control over national natural resources and the creation of conditions for a more accelerated development of underdeveloped countries;

(g) Respect for the generally accepted norms of international law.

14. Committed to comprehensive political, economic, scientific and cultural co-operation with other peoples and States, Yugoslavia, as a socialist community of its nations and nationalities, considers that this co-operation should contribute to the creation of such democratic forms of links among States and peoples as correspond to their interests and social progress, and, in this respect, Yugoslavia is an open community.

15. All organs, organizations and individuals are bound, in their international economic, political, cultural and other relations and in relations with foreign organs and organizations, to respect these principles of foreign policy and international activity of Yugoslavia and to work for their realization.

### III

16. During the consideration of Yugoslavia's third periodic report, the following issues were particularly emphasized: (a) data on verdicts concerning the criminal acts described in article II of the Convention; and (b) implementation of article XI of the Convention in connection with extradition requests. The following data are given below in connection with these issues:

(a) In the period 1982-1985, 264 persons were convicted in Yugoslavia for acts covered by article II of the Convention: 259 persons for the criminal act of inciting national, racial and religious hatred, division or intolerance, under article 134 of the Criminal Code of Yugoslavia, and 5 persons for the criminal act of assisting perpetrators who have committed criminal acts, under article 137 of the Criminal Code of Yugoslavia. Data for individual years are the following: for the criminal act of inciting national, racial and religious hatred, division or intolerance under article 134 of the Criminal Code of Yugoslavia, 62 persons were convicted in 1982, 79 in 1983, 63 in 1984, and, 55 in 1985. For the criminal act of assisting perpetrators who have committed criminal acts, under article 137 of the Criminal Code of Yugoslavia, 3 persons were convicted in 1983, 2 in 1984, while in 1982 and 1985 no one was convicted for the aforementioned criminal act.

(b) In Yugoslavia, there has not so far been any case of an extradition request for criminal acts considered to constitute the "crime of apartheid". However, if such requests are submitted, the Yugoslav authorities must respect the Convention and facilitate the extradition of perpetrators of such criminal acts. A large number of concluded bilateral international extradition agreements explicitly provide for respect for the obligations arising from multilateral agreements in connection with the extradition of accused and convicted persons, including, therefore, the obligations contained in the International Convention on the Suppression and Punishment of the Crime of Apartheid.

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