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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION  
AND PUNISHMENT OF THE CRIME OF APARTHEID

Views and information submitted by States parties, specialized  
agencies and non-governmental organizations in accordance with  
Commission on Human Rights resolution 1988/14

Note by the Secretary-General

	<u>Page</u>
Introduction .....	2
I. REPLIES RECEIVED FROM STATES PARTIES	
Burundi .....	3
German Democratic Republic .....	4
Union of Soviet Socialist Republics .....	4

### Introduction

1. In its resolution 1988/14, the Commission on Human Rights, inter alia, requested the Secretary-General (a) to invite States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid to express their views on the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa, and (b) to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission with relevant information concerning the types of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa.
2. By the same resolution, the Commission requested the Group of Three established under the Convention to continue, in the light of the views expressed by States parties, the examination of the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa, including legal action that might be taken under the Convention against transnational corporations whose operations in South Africa came under the crime of apartheid, and to report to the Commission at its forty-fifth session.
3. In notes verbales dated 6 June 1988, the Secretary-General brought to the attention of States parties, the specialized agencies and non-governmental organizations the relevant provisions of Commission resolution 1988/14 and invited them to submit their views and any relevant information in time for consideration by the Group of Three and the Commission at its forty-fifth session.
4. Views and information submitted by the Governments of Burundi, the German Democratic Republic and the Union of Soviet Socialist Republics are reproduced below. Any further replies which may be received by the Secretariat will be issued in addenda to this document.

I. REPLIES RECEIVED FROM STATES PARTIES

BURUNDI

[Original: FRENCH]

[2 July 1988]

The Government of Burundi, in its domestic law, prohibits all discrimination and all distinction on grounds of race, colour, sex, language, religion, political opinion, nationality or social or economic status.

In the context of international law, it considers that the Universal Declaration of Human Rights and the international instruments that have supplemented the Declaration are sufficiently clear and have instituted a general prohibition of racial discrimination.

In this context, the Government of Burundi considers that the prohibition of racism and its institutionalized manifestations, such as apartheid, inter alia, is at present a sacrosanct international rule; any act to the contrary is unlawful.

As regards the question of apartheid, the Republic of Burundi holds the view that it is an inhuman policy and a crime against humanity, which must be eliminated.

As to the transnational corporations operating in South Africa under this policy of apartheid, the Government of Burundi regards them as a link in the racist chain in that:

(1) They act in the institutionalized discriminatory manner current in that country;

(2) They maintain the same discriminatory system as regards labour and capital, and are unwilling to move towards equalization of income;

(3) The multinational corporations represented in South Africa and Namibia act in accordance with local market conditions which favour them and endeavour to perpetuate those conditions so as to be able freely to exploit natural and human resources at low cost.

The Republic of Burundi emphasizes that the racist apartheid régime and the transnational corporations operating in South Africa and Namibia threaten international peace and security, and constitute the primary cause of conflict in southern Africa and of the delay in independence for Namibia.

The Government of Burundi deeply regrets the economic and military assistance which certain countries and transnational corporations are providing to the Pretoria régime and fully shares the opinion of the Group of Three.

GERMAN DEMOCRATIC REPUBLIC

[Original: ENGLISH]  
[3 November 1988]

The German Democratic Republic holds the view that the activities of transnational corporations in South Africa are a main obstacle to the abolition of apartheid. In the spirit of the International Convention on the Suppression and Punishment of the Crime of Apartheid, such corporations have a share in the responsibility of the crimes of apartheid committed in South Africa.

The German Democratic Republic has repeatedly explained its fundamental position on this issue in detail in comments conveyed to the Secretary-General of the United Nations. It calls attention to its statement of 14 November 1984, to its fourth report on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid (E/CN.4/1986/29/Add.5), its comments on the conclusions and recommendations of the Group of Three of 7 November 1986, and its information concerning the "adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa" of August 1987. The position of the German Democratic Republic therein stated has not changed and remains fully valid.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: RUSSIAN]  
[2 November 1988]

1. The Soviet Union's fundamental position on the question of transnational corporations' responsibility for the continued existence of the system of apartheid in South Africa has been set out in detail in its previous replies, particularly in that for 1987.
2. The USSR decisively condemns the South African racist régime and its policy of apartheid.

It supports the conclusion of the Group of Three of the United Nations Commission on Human Rights (E/CN.4/1988/32) that the economic, technical and military collaboration and support provided by the international and national monopolies and some countries to the South African authorities strengthens the criminal régime of apartheid, perpetuates the oppression of the African majority of South Africa's population and is instrumental in intensifying the repression against those fighting for civil, political, economic and other rights. Through their collaboration with South Africa, transnational corporations thus bear direct responsibility for participation in activities which, under article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid, are defined as the "crime of apartheid".

3. The Soviet Union has consistently argued for complete international isolation of the apartheid régime in South Africa and for the adoption of wide-ranging and effective international measures to end political, economic

and military support for that inhuman régime. The USSR joins with the African countries in demanding the immediate granting of independence to Namibia on the basis of the relevant United Nations and OAU resolutions, the unconditional cessation of Pretoria's aggressive raids on front-line States, the prompt elimination of the inhuman system of apartheid and the establishment of a free, non-racial, democratic State in the south of the continent.

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