

### 38/18. Status of the International Convention on the Elimination of All Forms of Racial Discrimination

*The General Assembly,*

Recalling its resolutions 3057 (XXVIII) of 2 November 1973, 3135 (XXVIII) of 14 December 1973, 3225 (XXIX) of 6 November 1974, 3381 (XXX) of 10 November 1975, 31/79 of 13 December 1976, 32/11 of 7 November 1977, 33/101 of 16 December 1978, 34/26 of 15 November 1979, 35/38 of 25 November 1980, 36/11 of 28 October 1981 and 37/45 of 3 December 1982,

Expressing its satisfaction at the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to accept and to examine communications from persons or groups of persons under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>37</sup>

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;<sup>38</sup>

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

3. Reaffirms once again its conviction that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Decade for Action to Combat Racism and Racial Discrimination;<sup>39</sup>

4. Requests those States that have not yet become parties to the Convention to ratify it or accede thereto;

5. Calls upon States parties to the Convention to consider the possibility of making the declaration provided for in article 14 of the Convention;

6. Requests the Secretary-General to continue to submit to the General Assembly annual reports concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

66th plenary meeting  
22 November 1983

### 38/19. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

*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 subsequent resolutions on the status of the Convention,

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,

Convinced that the Declaration and the Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination<sup>40</sup> and their full implementation will contribute to the final eradication of apartheid and all other forms of racism and racial discrimination,

Strongly condemning South Africa's continued policy of apartheid and its continued illegal occupation of Namibia, as well as its repeated acts of aggression against sovereign African States, which constitute a manifest breach of international peace and security,

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,

Underlining that the strengthening of the existing mandatory arms embargo and the application of comprehensive mandatory economic sanctions under Chapter VII of the Charter are vital in order to compel the racist régime of South Africa to abandon its 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,

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 would be a useful contribution towards achieving the complete elimination 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;<sup>41</sup>

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;

4. Expresses its appreciation of the constructive role played by the Group of Three of the Commission on Human Rights, established in accordance with article IX of the Convention, in analysing the periodic reports of States and in publicizing the experience gained in the international struggle against the crime of apartheid;

5. Requests States parties to the Convention to take fully into account the guidelines prepared by the Group of Three;<sup>42</sup>

6. Calls upon all States parties to the Convention to implement fully article IV thereof 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;

7. Requests the Commission on Human Rights to continue to undertake the functions set out in article X of the Convention and invites 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 those against whom or which legal proceedings have been undertaken;

8. Requests 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

<sup>37</sup> Resolution 2106 A (XX), annex.

<sup>38</sup> A/38/390.

<sup>39</sup> See resolution 38/14 above.

<sup>40</sup> Report of the Second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983 (United Nations publication Sales No. E.83.XIV.4 and corrigendum), chap. II.

<sup>41</sup> A/38/391.

<sup>42</sup> E/CN.4/1286, annex.