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

Note by the Secretary-General

1. Under article X of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the States parties to the Convention empower the Commission on Human Rights to undertake a number of tasks enumerated therein and, inter alia, to prepare, on the basis of reports from competent organs of the United Nations and periodic reports from States parties, a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for the crimes enumerated in article II of the Convention, as well as those against whom legal proceedings have been undertaken by States parties to the Convention.
2. At its thirty-fourth session, the Commission on Human Rights adopted resolution 7 (XXXIV) of 22 February 1978 by which it took a number of measures to give effect, inter alia, to the provisions of article X of the Convention. In that resolution, the Commission (1) called upon competent United Nations organs to provide to the Commission, through the Secretary-General, information relevant to the preparation of the list of individuals, organizations, institutions and representatives of States alleged to be responsible for crimes enumerated in article II of the Convention, as well as those against whom legal proceedings have been undertaken by States parties to the Convention; (2) further called upon the competent United Nations organs to provide to the Commission, through the Secretary-General, information concerning measures taken by the authorities responsible for the administration of Trust and Non-Self-Governing Territories, and all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies, with regard to individuals alleged to be responsible for crimes under article II of the Convention who are believed to be under their territorial and administrative jurisdiction; (3) requested United Nations organs, when transmitting copies of petitions to the Committee on the Elimination of Racial Discrimination under article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination, to draw the attention of the Commission through the Secretary-General to complaints concerning acts enumerated in article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid; and (4) decided to maintain on its agenda as a standing item the question entitled "Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid".
3. The necessary arrangements were made by the Secretary-General to bring to the attention of the following competent organs of the United Nations the text of Commission resolution 7 (XXXIV) and the requests for information contained therein:

- (a) Trusteeship Council;
- (b) Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
- (c) Special Committee Against Apartheid;
- (d) United Nations Council for Namibia;
- (e) Security Council Committee established in pursuance of resolution 253 (1968) concerning the Question of Southern Rhodesia;
- (f) Security Council Committee established by resolution 421 (1977) concerning the Question of South Africa; and
- (g) Security Council Ad Hoc Sub-Committee on Namibia.

4. The General Assembly in its resolution 33/103 of 16 December 1978, welcomed the efforts of the Commission on Human Rights to undertake the functions set out in Article X of the Convention and invited the Commission to continue its efforts, especially with a view to preparing 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; and called upon the competent United Nations organs to provide the Commission on Human Rights through the Secretary-General with information relevant to the preparation of the above-mentioned list according to article X of the Convention as well as with information concerning the obstacles which prevent the effective suppression and punishment of the crime of apartheid.

5. Any relevant information which may be received in response to the requests of the Commission and the General Assembly will be made available to the Commission in due course.

6. It may be noted that in accordance with the request of the Commission in its resolution 5 (XXXIV), the list of persons suspected of having been guilty in Namibia of the crime of apartheid or of a serious violation of human rights, as contained in the progress report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1270), was brought to the attention of the group of three members of the Commission appointed under article IX of the Convention.