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Agenda item 100

ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Algeria, Colombia, Cuba, Democratic Yemen, Iraq, Madagascar, Mexico,
Nigeria, Peru, Syrian Arab Republic, United Republic of Tanzania,
Zambia and Zimbabwe: 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, 42/56 of 30 November 1987 and 43/97 of 8 December 1988,

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 implement the ideals of the Universal Declaration of Human Rights, 2/

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

Strongly condemning the abhorrent policy and system of apartheid and the brutal repression it engenders, which continue to aggravate the situation in South Africa,

1/ Resolution 3068 (XXVIII), annex.

2/ Resolution 217 A (III).

Emphasizing that the root cause of the conflict in southern Africa is apartheid and the racist régime's policy of aggression, State terrorism and destabilization against the front-line and other neighbouring States,

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 an 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; 3/
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 that 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 importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights, and other human rights instruments;
5. Takes note with appreciation of the report of the Group of Three of the Commission on Human Rights, 4/ which was set up under the Convention, and, in particular, of the conclusions and recommendations contained in that report;

3/ A/44/442.

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

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 Convention; 5/

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

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 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;

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.

5/ Ibid., para. 34.