

**INTERNATIONAL CONVENTION ON THE SUPPRESSION AND
PUNISHMENT OF THE NATIONS**

Note: This Convention entered into force for the Philippines, February 25, 1978.

Reference: This Convention is also published in XII DFA TS No. 1, p. 85.

The General Assembly,

Recalling resolution 2922 (XXVII) of 15 November 1972, in which it reaffirmed its conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations and is a crime against humanity,

Recognizing the urgent need to take further effective measures with a view to the suppression and punishment of apartheid.

Mindful of the urgent need to conclude, under the auspices of the United Nations, an International Convention on the Suppression and Punishment of the Crime of Apartheid.

Convinced that the Convention would be an important step towards the eradication of the policies and practices of apartheid, and that it should be signed and ratified by States at the earliest possible date and its provisions implemented without delay.

Considering also that the text of the Convention should be made known throughout the world.

1. Adopts and opens for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid, the text of which is annexed to the present resolution;
2. Appeals to all States to sign and ratify the Convention as soon as possible;
3. Requests all Governments and intergovernmental and non- governmental organizations to acquaint the public as widely as possible with the text of the Convention using all the information media at their disposal;
4. Requests the Secretary-General to ensure the urgent and wide dissemination of the Convention and for that purpose, to publish and circulate its text;
5. Requests the Economic and Social Council to invite the Commission on Human Rights to undertake the functions set out under article X of the Convention.

ANNEX

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

The States Parties to the present Convention,

Recalling the provisions of the Charter of the United Nations, in which all Members pledged themselves to take joint and separate action in cooperation with the Organization for the achievement of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering the Universal Declaration of Human Rights, which states that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, color or national origin.

Considering the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which the General Assembly stated that the process of liberation is irresistible and irreversible and that, in the interests of human dignity, progress and justice, an end must be put to colonialism and all practices of segregation and discrimination associated therewith.

Observing that, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, States particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction,

Observing that, in the Convention on the Prevention and Punishment of the Crime of Genocide, certain acts which may also be qualified as acts of apartheid constitute a crime under international law,

Observing that, in the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, "inhuman acts resulting from the policy of apartheid" are qualified as crimes against humanity,

Observing that the General Assembly of the United Nations has adopted a number of resolutions in which the policies and practices of apartheid are condemned as a crime against humanity.

Observing that the Security Council has emphasized that apartheid, its continued intensification and expansion, seriously disturbs and threatens international peace and security,

Convinced that an International Convention on the Suppression and

Punishment of the Crime of Apartheid would make it possible to take more

Effective measures at the International and national levels with a view to the suppression and punishment of the crime of apartheid,

Have agreed as follows:

ARTICLE I

1. The States Parties to the present Convention declare that apartheid is a crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination, as defined in article II of the Convention, are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.

2. The States Parties to the present Convention declare criminal those organizations, institutions and individuals committing the crime

ARTICLE II

For the purpose of the present Convention, the term "the crime of apartheid", which shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them:

(a) Denial to a member or members of a racial group or groups of the right to life and liberty of person:

(i) By murder of members of a racial group or groups;

(ii) By the infliction upon the members of a racial group or groups of serious bodily or mental harm by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment;

(iii) By arbitrary arrest and illegal imprisonment of the members of a racial group or groups;

(b) Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;

(c) Any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

(d) Any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof;

(e) Exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour;

(f) Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid.

ARTICLE III

International criminal responsibility shall apply, irrespective of the motive involved, to individuals, members of organizations and institutions and representatives of the State, whether residing in the territory of the State in which the acts are perpetrated or in some other State, whenever they: