



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
LIMITED

A/C.3/L.1871  
28 October 1971  
ENGLISH  
ORIGINAL: RUSSIAN

Twenty-sixth session  
THIRD COMMITTEE  
Agenda item 54

*No, on the basis that this question has been dealt with in the sp. com. of apartheid*

ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Guinea and Union of Soviet Socialist Republics:  
draft of a Convention on the suppression and  
punishment of the crime of apartheid

The States Parties to this Convention,

Guided by the Charter of the United Nations, which provides for international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion,

Fundação Cuidar o Futuro

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which the General Assembly stated that 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 Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, "inhuman acts resulting from the policy of apartheid" are described as crimes against humanity,

Recalling 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, colour or national origin,

Observing that the United Nations General Assembly and Security Council have adopted a number of resolutions in which the policy of apartheid is condemned as a crime against humanity,

Convinced of the need to take further 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 this Convention reaffirm that apartheid is a crime against humanity, which is a flagrant violation of the purposes and principles of the Charter of the United Nations and of the universally recognized principles of international law, and which constitutes a serious threat to the peace and security of the peoples.

2. The States Parties to this Convention brand as criminal organizations, institutions and individuals which pursue a policy of apartheid.

## Fundação Cuidar o Futuro

#### Article II

In this Convention, the term "the crime of apartheid" shall apply to the following acts, committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and of systematically oppressing them:

(a) Murder of members of an oppressed racial group or infliction upon them of serious bodily injuries or mental derangement;

(b) Deliberate imposition on an oppressed racial group of living conditions calculated to cause their physical destruction;

(c) Any measures, including legislative measures, calculated completely to debar an oppressed racial group from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the all-round development of such a group;

(d) Any measures, including legislative measures, forcibly dividing the population of a country along racial lines by the creation of separate reserves and ghettos for the members of an oppressed racial group and the prohibition of mixed

marriages between various racial groups, and by the expropriation of landed property belonging to an oppressed racial group;

(e) Denial to members of such a group of elementary human rights and freedoms, including the right to work, the right to education and the right to freedom of movement;

(f) Exploitation of the labour of the members of an oppressed racial group;

(g) Legal and administrative prosecution of organizations and persons opposing apartheid;

(h) Arbitrary arrest and illegal imprisonment of the members of an oppressed racial group.

### Article III

The provisions of this Convention shall apply to representatives of the State authority and private individuals who, as principals or accomplices, participate in or directly incite others to the commission of the crime of apartheid, or who conspire to commit that crime, and to representatives of the State authority who tolerate its commission.

## Fundação Cuidar o Futuro

### Article IV

The States Parties to this Convention undertake to adopt any legislative or other measures necessary to prevent any encouragement of the crime of apartheid and to punish persons guilty of that crime.

### Article V

The States Parties to this Convention undertake to participate in international measures adopted through the competent organs of the United Nations and aimed at the suppression and punishment of the crime of apartheid, including measures adopted under Chapter VII of the Charter of the United Nations.

/...

Article VI

This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force may accede to it subsequently at any time.

Article VII

/Additional final clauses/

-----  
1

Fundação Cuidar o Futuro