

16. *Also requests* the Secretary-General to prepare a report on the implementation of the present resolution, paying attention to the deliberations and conclusions of the Commission for Social Development in March 1989, and to submit it to the General Assembly at its forty-fourth session under the item entitled "Policies and programmes involving youth";

17. *Decides* to consider the item entitled "Policies and programmes involving youth" at its forty-fourth session on the basis of the report of the Secretary-General.

75th plenary meeting
8 December 1988

43/95. Status of the International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its relevant resolutions adopted since 1973, the most recent of which is resolution 41/104 of 4 December 1986,

Noting with satisfaction the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,³

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;²²

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

3. *Reaffirms once again its conviction* that ratification or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Second Decade to Combat Racism and Racial Discrimination;²³

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

5. *Calls upon* the 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 submit to the General Assembly at its forty-fifth session a report concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

75th plenary meeting
8 December 1988

43/96. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and resolution 41/104 of 4 December 1986 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, as well as its other relevant resolutions on the implementation of the Pro-

gramme of Action for the Second Decade to Combat Racism and Racial Discrimination,²³

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination,³ which is the most widely accepted human rights instrument adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Welcoming the report of the Committee on the work of its thirty-sixth session,²⁴

Reiterating once again the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of *apartheid* in South Africa and Namibia,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling the urgent appeals made by the Secretary-General, the General Assembly, the eleventh and twelfth meetings of States parties to the Convention and the Committee itself to the States parties to honour their financial obligation under the Convention,

Expressing its appreciation for the efforts of the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

Gravely concerned that, despite those appeals and other efforts, the meeting schedule of the Committee has been interrupted and the proper functioning of the Committee continues to deteriorate,

Having considered the report of the Secretary-General on the question of financing the expenses of the members of the Committee,²⁵

1. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, which led to the cancellation of the February/March 1988 session and the curtailment by one week of the August 1988 session of the Committee on the Elimination of Racial Discrimination;

2. *Expresses once again its concern* that such a situation led to further delay in discharging the substantive obligations of the Committee under the Convention;

3. *Commends* the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. *Takes note with appreciation* of the report of the Committee on the work of its thirty-sixth session;

5. *Calls upon* States parties to fulfil their obligations under article 9, paragraph 1, of the Convention and to submit in due time their periodic reports on measures taken to implement the Convention;

6. *Notes with appreciation* the measures taken by the Committee with a view to improving the reporting procedure and streamlining its own method of examination of reports submitted by States parties;

²² A/43/517.

²³ Resolution 38/14.

²⁴ Official Records of the General Assembly, Forty-third Session, Supplement No. 18 (A/43/18).

²⁵ A/43/607.

7. *Strongly appeals* to all States parties to fulfil their financial obligations under article 8, paragraph 6, of the Convention and to pay their outstanding contributions and, if possible, their contributions for 1989 before 1 February 1989 so as to enable the Committee to meet regularly;

8. *Endorses* the decision taken at the twelfth meeting of States parties to the Convention that, as an exceptional measure, pending resolution of its current financial difficulties, the Committee should hold one extended session if possible in 1989;²⁶

9. *Invites* the Secretary-General to ensure, if possible, that the Committee holds its regular session in 1989 for at least three weeks;

10. *Requests* the Secretary-General to report to the General Assembly at its forty-fourth session on the financial situation of the Committee and possible administrative and legal measures for improving the situation facing the Committee;

11. *Decides* to consider the report at its forty-fourth session under the item entitled "Elimination of all forms of racial discrimination".

75th plenary meeting
8 December 1988

43/97. 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 and 42/56 of 30 November 1987,

Mindful that the International Convention on the Suppression and Punishment of the Crime of Apartheid⁴ 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 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,

Strongly condemning South Africa's continued policy of apartheid and its continued illegal occupation of Namibia, as well as its policy of aggression, State terrorism and destabilization against independent African States,

Alarmed by the aggravation of the situation in South Africa, in particular the further escalation of ruthless repression by the Fascist-like apartheid régime,

Mindful of Commission on Human Rights resolution 1988/14 of 29 February 1988,²⁷ in which the Commission expressed its conviction that the crime of apartheid is a form of the crime of genocide,

Stressing that the root cause of the conflict in southern Africa is the policy of apartheid and that only the total eradication of apartheid can lead to a peaceful and lasting solution of that conflict,

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 exercise 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 or 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;²⁸

2. *Commends* those States parties to the Convention which have submitted their reports under article VII thereof;

3. *Appeals once again* to those States which have not yet done so to ratify or to accede to the Convention without further delay, in particular those States which 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, the fortieth anniversary of which is being celebrated in 1988;

5. *Takes note with appreciation* of the report of the Group of Three of the Commission on Human Rights,²⁹ which was set up under the Convention, and, in particular, of the conclusions and recommendations contained in that report;

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;³⁰

7. *Calls upon* all States of which the transnational corporations continue to do business with South Africa and Namibia to take appropriate steps to terminate their dealings with South Africa and Namibia;

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 Commis-

²⁶ See CERD/SP/SR.19, para. 47.

²⁷ See *Official Records of the Economic and Social Council, 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.*

²⁸ A/43/516.

²⁹ E/CN.4/1988/32.

³⁰ *Ibid.*, para. 34.