

*Recalling also* its decision of 12 December 1972 to include the item in the agenda of its twenty-eighth session and to consider it as a matter of high priority,<sup>7</sup>

*Aware* that the provisions of the humanitarian conventions at present in force do not cover certain categories of journalists engaged in dangerous missions in areas of armed conflict and do not correspond to their present needs,

*Having examined*, article by article, the draft articles of a convention proposed by Australia, Austria, Denmark, Ecuador, Finland, France, Iran, Lebanon, Morocco and Turkey,<sup>8</sup> as well as some related amendments,

*Taking also into account* that the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts will be held at Geneva from 20 February to 29 March 1974 under the auspices of the Swiss Government,

1. *Expresses the opinion* that it would be desirable to adopt a convention ensuring the protection of journalists engaged in dangerous missions in areas of armed conflict;

2. *Requests* the Secretary-General to transmit to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts the draft articles and amendments annexed to his note of 9 July 1973,<sup>9</sup> together with the observations and suggestions made during the twenty-eighth session of the General Assembly, and to invite the Diplomatic Conference to submit its comments and advice on the above-mentioned texts;

3. *Decides* to continue the examination of this question at its twenty-ninth session, as a matter of priority, having regard to the deliberations and findings of the Diplomatic Conference.

2163rd plenary meeting  
2 November 1973

### 3059 (XXVIII). Question of torture and other cruel, inhuman or degrading treatment or punishment

*The General Assembly,*

*Mindful* of article 5 of the Universal Declaration of Human Rights, which affirms that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

*Gravely concerned* that torture is still practised in various parts of the world,

*Bearing in mind* that this subject has been brought before various organs dealing with human rights, through various reports relating to violations of human rights and fundamental freedoms,

*Bearing in mind also* that the Sub-Commission on Prevention of Discrimination and Protection of Minorities has asked the Commission on Human Rights to authorize it to include in its agenda for the next session an item on the human rights of persons subjected to any form of detention and imprisonment,

1. *Rejects* any form of torture and other cruel, inhuman or degrading treatment or punishment;

<sup>7</sup> *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings*, 2107th meeting, paras. 9 and 10.

<sup>8</sup> A/9073, annex I.

<sup>9</sup> *Ibid.*, annexes I and II.

2. *Urges* all Governments to become parties to existing international instruments which contain provisions relating to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

3. *Requests* the Secretary-General to inform the General Assembly, under the report of the Economic and Social Council, of the consideration which may have been given to this question by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by the Commission on Human Rights and other bodies concerned;

4. *Decides* to examine the question of torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment as an item at a future session of the General Assembly.

2163rd plenary meeting  
2 November 1973

### 3060 (XXVIII). Observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights

*The General Assembly,*

*Recalling* that in its resolution 2860 (XXVI) of 20 December 1971 it expressed its conviction of the historic significance and enduring value of the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations and its desire to mark, in 1973, the twenty-fifth anniversary of the Declaration in a manner which would fit the occasion and serve the cause of human rights,

*Also recalling* that in its resolution 2906 (XXVII) of 19 October 1972 it reaffirmed its adherence to the principles, values and ideals contained in the Universal Declaration of Human Rights, and approved a programme of suitable activities which could be undertaken in observance of the twenty-fifth anniversary of the Declaration,

*Recalling* its resolution 2919 (XXVII) of 15 November 1972, in which it decided to launch the Decade for Action to Combat Racism and Racial Discrimination and to inaugurate the activities thereof on 10 December 1973, the twenty-fifth anniversary of the Universal Declaration of Human Rights,

*Regretting* that there are still many objectives of the Universal Declaration of Human Rights which have not yet been implemented and urging renewed commitment by all peoples and all nations towards achieving this end,

*Having examined* the progress report<sup>10</sup> submitted by the Secretary-General in accordance with resolution 2906 (XXVII),

*Noting with satisfaction* the measures and activities undertaken or contemplated in connexion with the programme for the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights,

1. *Urges* Governments, the specialized agencies and other intergovernmental organizations, and non-governmental organizations in consultative status with the Economic and Social Council, to rededicate themselves during and after the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights to adopting further measures designed to serve the cause of human rights and the implementation of the Declaration;

<sup>10</sup> A/9133 and Corr.1 and Add.1-3.

2. *Invites* States which have not yet done so to ratify the international instruments concluded in the field of human rights, in particular the following:

(a) International Convention on the Elimination of All Forms of Racial Discrimination;<sup>11</sup>

(b) International Covenant on Civil and Political Rights and Optional Protocol;<sup>12</sup>

(c) International Covenant on Economic, Social and Cultural Rights;<sup>12</sup>

3. *Urges* the world community to celebrate the twenty-fifth anniversary of the Universal Declaration of Human Rights in such a way as to contribute in a significant manner to the realization of the principles, values and ideals contained in the Declaration for the benefit of all mankind.

2163rd plenary meeting  
2 November 1973

### 3068 (XXVIII). International Convention on the Suppression and Punishment of the Crime of Apartheid

*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 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.

2185th plenary meeting  
30 November 1973

<sup>11</sup> Resolution 2106 A (XX), annex.

<sup>12</sup> Resolution 2200 A (XXI), annex.

## 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 co-operation 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, colour or national origin,

*Considering* the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>13</sup> 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,<sup>14</sup> 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,<sup>15</sup> 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,<sup>16</sup> "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* and its continued intensification and expansion seriously disturb and threaten 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 of *apartheid*.

#### Article II

For the purpose of the present Convention, the term "the crime of *apartheid*", which shall include similar policies and

<sup>13</sup> Resolution 1514 (XV).

<sup>14</sup> Resolution 2106 A (XX), annex.

<sup>15</sup> Resolution 260 A (III), annex.

<sup>16</sup> Resolution 2391 (XXIII), annex.