**Report of the Select Committee on Security and Justice on the International Convention on the Suppression and Punishment of the Crime of Apartheid: Adopted by the General Assembly of the United Nations on 30 November 1973, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to the International Convention on the Suppression and Punishment of the Crime of Apartheid: Adopted by the General Assembly of the United Nations on 30 November 1973, dated 12 October 2022.**

The Select Committee on Security and Justice, having considered the International Convention on the Suppression and Punishment of the Crime of Apartheid: Adopted by the General Assembly of the United Nations on 30 November 1973, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to the International Convention on the Suppression and Punishment of the Crime ofApartheid, reports as follows:

1. The Convention on the Suppression and Punishment of the Crime of Apartheid (“the Convention”) has its roots in the opposition by the United Nations to the discriminatory racial policies of the South African apartheid government, declaring apartheid to be a crime against humanity.
2. Notably, the Convention declares Apartheid 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 are international crimes, constituting a serious threat to international peace and security.
3. The Convention defines the crime of apartheid as including “similar policies and practices of racial segregation and discrimination as practised in Southern Africa”. This covers “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”.
4. The Convention was adopted by the United Nations General Assembly on 30 November 1973 and came into force on 18 July 1976. To date, 110 States Parties have ratified or acceded to the Convention.
5. Cabinet approved accession to the Convention on 24 February 2021 and, in terms of section 231(2) of the Constitution, the Convention now requires the approval of both Houses of Parliament.
6. The Convention was tabled for approval and was referred to the Committee on 15 April 2021 for consideration and report. The Committee was briefed on the Convention on 21 September 2022.

**Recommendation**

1. Having considered the International Convention on the Suppression and Punishment of the Crime of Apartheid: Adopted by the General Assembly of the United Nations on 30 November 1973, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to the Convention, referred to it, the Committee recommends that the National Council of Provinces approve the Convention.

**Report to be considered**