



Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/32/Add.6
18 December 1989

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 16 of the provisional agenda

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

Reports submitted by States parties under
article VII of the Convention

Addendum

BAHAMAS */

[16 November 1989]

1. The Government of the Commonwealth of the Bahamas is firm in its commitment to the universal application of the principles of representative democratic government and self-determination of peoples. The Government of the Bahamas therefore condemns the policy of apartheid of the Government of South Africa which countenances the inhumane subjugation of the black majority of South Africa.

The Bahamas Government supports all national liberation efforts in South Africa whose goal it is to establish a free democratic and non-racial South Africa. The Bahamas Government similarly fully supports all international efforts aimed at eradicating the policy of apartheid specifically and all forms of racial discrimination generally. The Bahamas Government consistently supports all United Nations resolutions intended to bring pressure to bear on the South African Government to eliminate the policy of apartheid and to establish a system of non-racial democracy.

*/ The present document contains the initial and the second periodic reports of the Bahamas.

2. The Bahamas became party to the Convention on the Suppression of the Crime of Apartheid in 1981.

3. The Government of the Bahamas agrees that as outlined in article II of this Convention, the "Crime of Apartheid" includes the policies and practices of racial segregation and discrimination as practised in South Africa, and further includes the following inhumane 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 persons, by murder, infliction of mental or bodily harm, by arbitrary arrest or illegal imprisonment;

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

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

4. The Bahamas is forever mindful of the Charter of the United Nations and various international instruments adopted to combat racial discrimination including the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention Against Apartheid in Sports and the cited Convention.

5. The Constitution of the Commonwealth of the Bahamas guarantees the fundamental rights and freedom of all persons, irrespective of race, colour or place of origin (see arts. 15 to 28 at annex I). */ These support the goals and objectives of the Apartheid Convention.

6. New legislation is now being drafted for consideration by the Government of the Bahamas. The legislation will be designed to compliment Bahamas constitutional guarantees which now lend support to the provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The new legislation should incorporate within the laws of the Bahamas all those provisions set out in the Convention. It would make the crime of apartheid an offence in the Bahamas wheresoever it may have been committed and punishable upon conviction, by death where the offence resulted in the death of any individual or otherwise by imprisonment of not more than 14 years. Corporate bodies and organizations perpetrating any offence pertaining to the crime of apartheid or racial discrimination will also be punishable under the proposed legislation.

7. The Bahamas Government firmly believes that increased public awareness can be most effective in stunting the growth of apartheid. The Government-owned radio and television broadcast and the private print media have served to disseminate information against racism and racial discrimination and in particular, against the crime of apartheid. The Government of the Bahamas,

*/ Annex I, II and III are available for consultation in the files of the Secretariat.

therefore, condemns the publishing or distribution of ideas which seek to foster racial superiority and discrimination. Under the proposed legislation, the Government will consider the publication, distribution, use of written material or public utterance which incite racial hatred or acts of violence against any race or group of persons of another colour or ethnic background as a punishable offence.

8. The Bahamas Government, from time to time issues policy statements on its stand on the practice of apartheid. The Government calls on public and private sector businesses and organizations to observe and support wholeheartedly the law of the government's policy on this heinous crime. The Bahamas Government believes that the policy of apartheid has permitted the South African Government to commit atrocities inconsistent with international norm, thereby posing a threat to international peace and security. These actions impose a burden not only on the black majority of South Africa, but also on countries struggling to eradicate this evil scourge. The Bahamas Government recognizes the obligation of States parties to this Convention to strengthen efforts which could lead to the demise of the apartheid system.

9. The Bahamas Government has instituted certain measures in compliance within its stand against apartheid, in particular against South African nationals.

10. The general policy of the Government of the Bahamas is to deny entry visas to all South Africans, except those categorized as follows:

(a) Persons holding permanent residence status in a country other than, and currently residing outside of South Africa;

(b) Humanitarian cases such as, distressed seamen, South African citizens who have close relatives in the Bahamas, South African citizens who are able to demonstrate their active participation in the anti-apartheid movement in South Africa;

(c) Persons of non-Caucasian origin, that is, members of a race institutionally victimized by the South African Government; and

(d) Persons in transit on recognized tourist cruises only which continue beyond the Bahamas.

11. The involvement of non-governmental associations and organizations in the fight against apartheid is welcomed by the Government of the Bahamas. The Bahamas Committee on South Africa (COSA) and the New Providence and Grand Bahama Human Rights Associations are especially concerned with action to combat racism and racial discrimination. COSA is extremely vocal in its condemnation of apartheid and has been instrumental in enhancing public awareness of the plight of individuals suffering under the aggression of the South African régime. COSA has organized public seminars to discuss issues facing the black majority in South Africa and to promote international solidarity with political victims of apartheid.

12. New draft legislation now before the Government of the Bahamas for consideration was designed to give effect to the provisions of the

International Convention of the Suppression and Punishment of the Crime of Apartheid. The new legislation when passed into law should incorporate within the laws of the Bahamas all those provisions defined in the Convention (see annex II). */

13. The Bahamas Government endorses all measures to expel the South African Government from the international arena. The Bahamas Government supports all United Nations and Commonwealth action with regard to the imposition of economic sanctions against South Africa as it believes that economic sanctions represent the most effective means of dismantling the unjust system of apartheid.

14. The Government of the Bahamas remains among the most persistent voices in the international community in the struggle against apartheid. In 1985, at Nassau, Commonwealth Heads of Government agreed on a "Commonwealth Accord on South Africa" (see annex III). */ The Bahamas' Prime Minister served as co-chairman of the 1986 Commonwealth Mini-Summit in London, where the majority agreed to adopt economic sanctions against South Africa. Under the chairmanship of the Bahamas' Prime Minister, the Commonwealth Eminent Persons Group was given the mandate of promoting dialogue for social change and non-racial democracy in South Africa.

15. The Government of the Bahamas regularly contributes to United Nations and other international funds which serve to finance action against the institutions of apartheid and to support the victims of apartheid. Contributions have been made to the following:

- United Nations Educational and Training Programme on Southern Africa;
- United Nations Trust Fund for Publicity Against Apartheid;
- United Nations Committee for the Elimination of Racial Discrimination;
- The Commonwealth Programme for South Africans: Nassau Fellowships.

16. At the 1987 Commonwealth Heads of Government Meeting, the Bahamas pledged \$US 10,000 to the Commonwealth Fund for Mozambique. The Bahamas Government is therefore committed not only to the dismantling of the apartheid régime in South Africa, but also to assisting frontline States in their efforts to combat the forces of the South African Government.

17. The struggle against apartheid in South Africa is not confined to government action but extends to action by political parties, human rights associations and both the public and privately-owned media. The Government-owned radio and television broadcast continue to serve as important disseminators of information against racial prejudice generally and against apartheid in particular. The privately-owned print media are also important sources of information on the anti-apartheid campaign and promoters of the activity of the Committee on South Africa (COSA) and the New Providence and Grand Bahama Human Rights Associations who continue to highlight action against apartheid and against racial discrimination in all its forms.
