

the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation, which are endangering, or have already resulted in the suppression of, the right to self-determination of an increasing number of sovereign peoples and nations,

Further expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent necessity of concerted international action to alleviate their conditions,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and of other human rights as a result of military intervention and foreign aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth¹⁰ and thirty-seventh sessions,¹¹

Reiterating its resolution 35/35 B of 14 November 1980,

Taking note of the note by the Secretary-General of 1 October 1981,¹²

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares* its firm opposition to acts of foreign military intervention, aggression or occupation, since these have resulted in the suppression of the right of peoples to self-determination and of other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention and occupation of foreign countries and territories, and to cease all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of these acts against the peoples concerned;

4. *Deplors* the plight of the hundreds of thousands of refugees and displaced persons who have been uprooted by the aforementioned acts and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this issue to the General Assembly at its thirty-seventh session, under the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

*42nd plenary meeting
28 October 1981*

¹⁰ See *Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13 and Corr.1)*, chap. XXVI, sect. A.

¹¹ *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr.1)*, chap. XXVIII, sect. A.

¹² A/C.3/36/4.

36/11. Status of the International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its resolutions 3057 (XXVIII) of 2 November 1973, 3135 (XXVIII) of 14 December 1973, 3225 (XXIX) of 6 November 1974, 3381 (XXX) of 10 November 1975, 31/79 of 13 December 1976, 32/11 of 7 November 1977, 33/101 of 16 December 1978, 34/26 of 15 November 1979 and 35/38 of 25 November 1980,

1. *Takes note* of the report of the Secretary-General¹³ on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;¹⁴

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

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

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

5. *Appeals* to 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 continue to submit to the General Assembly annual reports concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

*42nd plenary meeting
28 October 1981*

36/12. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its resolutions 35/40 of 25 November 1980 on the report of the Committee on the Elimination of Racial Discrimination and 36/11 of 28 October 1981 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,¹⁴ as well as its other relevant resolutions on the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination,¹⁵

Having considered the report of the Committee on the Elimination of Racial Discrimination on its twenty-third and twenty-fourth sessions,¹⁶ submitted under article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination,

Emphasizing that it is important for the successful struggle against all practices of racial discrimination, including the vestiges and manifestations of racist ideologies wherever they exist, that all Member States should be guided in their internal and foreign policies by the basic provisions of the Convention,

Mindful of the obligation of the States parties to comply fully with the provisions of the Convention,

Welcoming the continued co-operation of the Committee on the Elimination of Racial Discrimination with the competent specialized agencies and other United Nations bodies, especially with the United Nations Educational, Scientific

¹³ A/36/453.

¹⁴ Resolution 2106 A (XX), annex.

¹⁵ Resolution 3057 (XXVIII), annex.

¹⁶ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 18 (A/36/18)*.

and Cultural Organization and the International Labour Organisation,

1. *Takes note with appreciation* of the report of the Committee on the Elimination of Racial Discrimination on its twenty-third and twenty-fourth sessions;

2. *Strongly condemns* the policy of *apartheid* in South Africa and Namibia as the most abhorrent form of racial discrimination and urges all Member States to adopt effective political, economic and other measures in order to secure the elimination of that policy and to achieve the full implementation of the relevant resolutions of the General Assembly, the Security Council and other United Nations bodies;

3. *Commends* the Committee for paying greater attention to the question of the elimination of the policy of *apartheid* in South Africa and Namibia, as well as to the elimination of acts and practices of racial discrimination in Trust and Non-Self-Governing Territories and in all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies;

4. *Calls upon* the United Nations bodies concerned to ensure that the Committee is supplied with all relevant information on all the Territories to which General Assembly resolution 1514 (XV) applies and urges the administering Powers to co-operate with these bodies by providing all necessary information in order to enable the Committee to discharge fully its responsibilities under article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination;

5. *Once again invites* States parties to the Convention to furnish the Committee, in accordance with its general guidelines, with the information on the implementation of the provisions of the Convention, including information on the demographic composition of their population and on their relations with the racist régime of South Africa;

6. *Calls upon* all Member States to adopt effective legislative, socio-economic and other necessary measures for elimination or prevention of discrimination based on race, colour, descent or national or ethnic origin;

7. *Commends* the Committee for paying due attention to the steps taken by the States parties to the Convention to assure within their jurisdiction the availability of appropriate recourse procedures for the victims of racial discrimination;

8. *Further commends* the Committee for taking up the problems of discrimination of migrant workers and requests States parties to the Convention to protect fully the rights of those workers;

9. *Calls upon* States parties to the Convention to protect fully, through the introduction of relevant legislative and other measures, the rights of national or ethnic minorities, as well as the rights of indigenous populations;

10. *Reiterates its grave concern* that some States parties to the Convention, owing to reasons beyond their control, are being prevented from fulfilling their obligations under the Convention in parts of their respective territories;

11. *Takes note with appreciation* of the Committee's plans to participate in the preparations and the work of the second World Conference to Combat Racism and Racial Discrimination, to be held in 1983;

12. *Requests* the Committee to explore the possibility of preparing also for the Conference, in addition to studies on the implementation of articles 4 and 7 of the Convention, a study on the implementation of subparagraph (e) of article 5 in conjunction with paragraph 2 of article 2;

13. *Takes note* of the decision of the Committee to hold its spring 1982 session at the United Nations offices at Nairobi and requests the Secretary-General to explore the

possibility of holding this session within the context of the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination.

42nd plenary meeting
28 October 1981

36/13. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The General Assembly,

Recalling its resolution 3068 (XXVIII) of 30 November 1973, by which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, and its resolutions 3380 (XXX) of 10 November 1975, 31/80 of 13 December 1976, 32/12 of 7 November 1977, 33/103 of 16 December 1978, 34/27 of 15 November 1979 and 35/39 of 25 November 1980,

Recalling also Commission on Human Rights resolutions 13 (XXXIII) of 11 March 1977,¹⁷ 7 (XXXIV) of 22 February 1978,¹⁸ 10 (XXXV) of 5 March 1979,¹⁹ 12 (XXXVI) and 13 (XXXVI) of 26 February 1980²⁰ and 6 (XXXVII) of 23 February 1981,²¹

Convinced that the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination,²² as well as the programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination, adopted by the General Assembly in its resolution 34/24 of 15 November 1979, and their full implementation will contribute to the final eradication of all vestiges of *apartheid*, racism and racial discrimination,

Reaffirming its conviction that *apartheid* constitutes a total negation of the purposes and principles of the Charter of the United Nations and is a gross violation of human rights and a crime against humanity, seriously threatening international peace and security,

Strongly condemning South Africa's stepping up its policy of *apartheid*, repression and "bantustanization" and its continued illegal occupation of Namibia, thereby perpetuating on Namibian territory its odious policy of *apartheid*, racial discrimination and fragmentation,

Deeply concerned about South Africa's repeated acts of aggression against sovereign African States, which constitute a manifest breach of international peace and security,

Underlining that the strengthening of the existing mandatory arms embargo and the application of comprehensive mandatory economic sanctions under Chapter VII of the Charter are vital in order to compel the racist régime of South Africa to abandon its policy of *apartheid*,

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*,

¹⁷ See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6 (E/5927)*, chap. XXI, sect. A.

¹⁸ See *Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34)*, chap. XXVI, sect. A.

¹⁹ *Ibid.*, 1979, *Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

²⁰ *Ibid.*, 1980, *Supplement No. 3 (E/1980/13 and Corr.1)*, chap. XXVI, sect. A.

²¹ *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr.1)*, Chap. XXVIII, sect. A.

²² *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2), chap. II.