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37/39. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975, 33/23 of 29 November 1978 and 35/32 of 14 November 1980,

Recalling also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Mindful of its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of both developing countries and territories under

colonial and foreign domination or subjected to the *apartheid* régime,

Recalling its resolutions on military collaboration with South Africa, as well as Security Council resolutions 418 (1977) of 4 November 1977 and 421 (1977) of 9 December 1977,

Taking into account, in particular, the relevant decisions adopted by the Council of Ministers of the Organization of African Unity at its thirty-seventh ordinary session, held at Nairobi from 15 to 26 June 1981,²

Taking note of the revised report prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa,³

Having noted with concern that the Secretary-General, in his report on the special review of the ongoing work programme of the United Nations,⁴ concluded that the annual updated report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa had been identified for termination in the proposed programme budget for the biennium 1982-1983,⁵

Reaffirming that any collaboration with the racist régime of South Africa constitutes a hostile act against the oppressed peoples of southern Africa in their struggle for freedom and independence and a contemptuous defiance of the United Nations and of the international community,

Considering that such collaboration enables South Africa to acquire the means necessary to carry out acts of aggression and blackmail against independent African States,

Deeply concerned that the major Western and other trading partners of South Africa continue to collaborate with the racist régime and that their collaboration constitutes the main obstacle to the liquidation of that racist régime and the elimination of the inhuman and criminal system of *apartheid*,

Alarmed at the continued collaboration of certain Western States and Israel with the racist régime of South Africa in the nuclear field,

Regretting that the Security Council has not been in a position to take binding decisions to prevent any collaboration in the nuclear field with South Africa,

Recognizing that the highest priority must be accorded to international action to secure the full implementation of the resolutions of the United Nations for the eradication of *apartheid* and the liberation of the peoples of southern Africa,

Conscious of the continuing need to mobilize world public opinion against the political, military, economic and other assistance given to the racist régime of South Africa,

1. *Reaffirms* the inalienable right of the oppressed peoples of southern Africa to self-determination, independence and the enjoyment of the natural resources of their territories;

2. *Again reaffirms* the right of those same peoples to dispose of those resources for their greater well-being and to obtain just reparation for the exploitation, depletion, loss or depreciation of those natural resources, including reparation for the exploitation and abuse of their human resources;

3. *Vigorously condemns* the collaboration of certain Western States, Israel and other States, as well as the transnational corporations and other organizations which maintain or continue to increase their collaboration with the racist

régime of South Africa, especially in the political, economic, military and nuclear fields, thus encouraging that régime to persist in its inhuman and criminal policy of brutal oppression of the peoples of southern Africa and denial of their human rights;

4. *Reaffirms once again* that States and organizations which give assistance to the racist régime of South Africa become accomplices in the inhuman practices of racial discrimination, colonialism and *apartheid* perpetrated by that régime, as well as in acts of aggression against the liberation movements and neighbouring States;

5. *Requests* the Security Council urgently to consider complete and mandatory sanctions under Chapter VII of the Charter of the United Nations against the racist régime of South Africa, in particular:

(a) The prohibition of all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa;

(b) The cessation of all collaboration with South Africa in the nuclear field;

(c) The prohibition of all loans to, and all investments in, South Africa and the cessation of any trade with South Africa;

(d) An embargo on the supply of petroleum, petroleum products and other strategic goods to South Africa;

6. *Appeals* to all States, specialized agencies and non-governmental organizations to extend all possible co-operation to the liberation movements of southern Africa recognized by the United Nations and the Organization of African Unity;

7. *Expresses its appreciation* to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his revised report;

8. *Affirms* that the updating of the report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa is of the greatest importance to the cause of fighting *apartheid* and other violations of human rights in South Africa and Namibia and should continue to be an activity in the ongoing work programme for 1982-1983;

9. *Calls upon* the Secretary-General to give all necessary assistance to the Special Rapporteur with a view to making available to him the computer services essential for the more detailed updating of the list contained in his report;

10. *Calls upon* the Governments of the countries where the banks, transnational corporations and other organizations named and listed in the revised report are based to take effective action to put a stop to their trading, manufacturing and investing activities in the territory of South Africa as well as in the Territory of Namibia illegally occupied by the racist Pretoria régime;

11. *Requests* the Secretary-General to transmit the revised report to the Special Committee against *Apartheid*, the United Nations Council for Namibia, other bodies concerned within the United Nations system and regional international organizations;

12. *Urgently requests* all specialized agencies, particularly the International Monetary Fund and the World Bank, to refrain from granting loans of any type to the racist régime in South Africa;

13. *Calls upon* all States, specialized agencies and regional, intergovernmental and other organizations concerned to give wide publicity to the revised report;

14. *Invites* the Commission on Human Rights to give high priority at its thirty-ninth session to the consideration of the revised report;

² See A/36/534, annex I.

³ E/CN.4/Sub.2/1982/10.

⁴ A/36/658.

⁵ *Ibid.*, annex II.

15. *Decides* to consider at its thirty-ninth session, as a matter of high priority, the item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa", in the light of any recommendations which the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against *Apartheid* may wish to submit to it.

*90th plenary meeting
3 December 1982*

37/40. Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its resolve to bring about the total and unconditional eradication of racism, racial discrimination and *apartheid*, which still represent serious obstacles to further progress and to the strengthening of international peace and security,

Recalling that, in its resolution 3057 (XXVIII) of 2 November 1973 and in the Programme for the Decade for Action to Combat Racism and Racial Discrimination annexed thereto, and in other relevant resolutions, it called upon all peoples, Governments and institutions to continue their efforts to eradicate racism, racial discrimination and *apartheid* and thus to promote respect for human rights and fundamental freedoms for all, without distinction as to race, colour, descent or national or ethnic origin,

Taking into account the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination,⁶

Recalling that, in the programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination, contained in the annex to its resolution 34/24 of 15 November 1979, it called upon all States, United Nations organs and intergovernmental and non-governmental organizations to intensify their efforts to achieve the speediest attainment of the objectives of the Decade, aimed at the complete and final elimination of all forms of racism and racial discrimination,

Expressing its serious concern at the situation prevailing in South Africa and throughout southern Africa as a result of the policies and actions of the *apartheid* régime, particularly its efforts to perpetuate and strengthen racist domination of the country, its policy of "bantustanization", its brutal repression of opponents of *apartheid* and its renewed acts of aggression against neighbouring States,

Reaffirming that *apartheid* is a crime against humanity,

Particularly concerned at the persistence of the illegal occupation of Namibia by the racist minority régime of South Africa,

Disappointed that the talks between the United Nations and the South African racist and illegal occupation régime aimed at reaching a negotiated settlement of the question of Namibia have thus far failed because of the bad faith of that régime,

Reaffirming that any collaboration with the racist régime of South Africa constitutes a hostile act against the oppressed people of South Africa and a contemptuous defiance of the United Nations and the international community,

Considering that such collaboration strengthens the racist régime, encourages it to persist in its repressive and aggressive policy and seriously aggravates the situation in southern Africa, thus constituting a threat to international peace and security,

Seriously concerned at the fact that the principal Western and other trading partners of South Africa are continuing to collaborate with the racist régime and that their collaboration constitutes the main obstacle to the abolition of that régime and the elimination of the inhuman and criminal system of *apartheid*,

Alarmed at the persistent collaboration of certain Western States and Israel with the racist régime of South Africa in the nuclear field,

Aware of the constant need to mobilize world public opinion against any political, military, economic and other assistance granted to the racist régime of South Africa,

Aware of the need to promote solutions to the problems of discrimination facing migrant workers and their families,

Recalling its resolution 35/33 of 14 November 1980, in which it decided to hold in 1983 a Second World Conference to Combat Racism and Racial Discrimination, which, while reviewing and assessing the activities undertaken during the Decade, should have as its main purpose the formulation of ways and means and of specific measures aimed at ensuring the full and universal implementation of United Nations resolutions and decisions on racism, racial discrimination and *apartheid*,

Stressing the importance of attaining the objectives of the Decade,

Convinced that the Second World Conference to Combat Racism and Racial Discrimination will make a useful and constructive contribution to the attainment of those objectives,

1. *Proclaims* that the elimination of all forms of racism and of discrimination based on race and the attainment of the objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and of the programme of activities to be undertaken during the second half of the Decade are matters of high priority for the international community and, therefore, for the United Nations;

2. *Strongly condemns* the policies of *apartheid*, racism and racial discrimination pursued in southern Africa, all occupied Arab territories and elsewhere, including the denial of the right of peoples to self-determination and independence;

3. *Reaffirms* its strong support for the national liberation struggle against racism, racial discrimination, *apartheid*, colonialism and foreign domination and for self-determination by all available means, including armed struggle;

4. *Reaffirms* the inalienable right of the Namibian people to self-determination and independence;

5. *Vigorously condemns* the repeated acts of aggression committed by South Africa against the States of the region, particularly Angola, Botswana, Mozambique, Seychelles and Zambia;

6. *Expresses its profound solidarity* with the front-line States that are victims of the racist aggression and destabilization attempts of the Pretoria régime;

7. *Once again invites* all Member States, United Nations organs, specialized agencies, intergovernmental organizations, national liberation movements, anti-*apartheid*

⁶ Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978 (United Nations publication, Sales No. E.79.XI.W.2), chap. II.