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38/14. Second Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objective contained in the Charter of the United Nations to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental

freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and *apartheid*,

Recalling the Universal Declaration of Human Rights,¹ the International Convention on the Elimination of All Forms of Racial Discrimination,² the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,³ the Convention on the Elimination

¹ Resolution 217 A (III).

² Resolution 2106 A (XX), annex.

³ Resolution 3068 (XXVIII).

of All Forms of Discrimination against Women⁴ and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,⁵

Recalling further its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination,

Emphasizing the necessity of attaining the objectives of the Decade,

Recalling the first World Conference to Combat Racism and Racial Discrimination, held at Geneva from 14 to 25 August 1978,

Noting that the Second World Conference to Combat Racism and Racial Discrimination was held at Geneva from 1 to 12 August 1983 pursuant to General Assembly resolution 37/41 of 3 December 1982,

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration and an operational Programme of Action,

Having considered the Report of the Second World Conference to Combat Racism and Racial Discrimination,⁶

Noting with concern that, despite the efforts of the international community, the Decade for Action to Combat Racism and Racial Discrimination has not attained its principal objectives and that millions of human beings continue to this day to be the victims of varied forms of racism and of racial discrimination,

Convinced of the need to take continuing and reinforced international measures for the elimination of racism and racial discrimination and the total eradication of *apartheid* in South Africa,

Noting that, in order to attain these objectives, it is imperative, in accordance with the recommendation of the Second World Conference,⁷ to declare a second decade at the end of the present Decade, which expires in December 1983,

1. Proclaims the ten-year period beginning on 10 December 1983 the Second Decade to Combat Racism and Racial Discrimination;

2. Takes note of the results of the Second World Conference to Combat Racism and Racial Discrimination contained in the report of the Conference;

3. Approves the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, which is annexed to the present resolution, and calls upon all States to co-operate in its implementation;

4. Requests the Economic and Social Council to take charge, with the help of the Secretary-General, of coordinating the implementation of the Programme of Action and of evaluating the activities undertaken during the Second Decade;

5. Requests the Secretary-General to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council, a plan of activities for the period 1985-1989 for implementing the Programme of Action and achieving the objectives of the Second Decade, taking into account the Programme for the Decade for Action to Combat Racism and Racial Discrimination;⁸

6. Decides to consider at its thirty-ninth session the plan of activities for the period 1985-1989 to be submitted by the Secretary-General;

7. Decides further that the Programme for the first Decade should continue to be applied and implemented until the plan of activities for the period 1985-1989 is adopted;

8. Invites Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate in the observance of the Second Decade by intensifying and extending their efforts to ensure the rapid elimination of racism and racial discrimination;

9. Decides to consider on an annual basis an item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination".

66th plenary meeting
22 November 1983

ANNEX

Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

A. ACTION TO COMBAT *apartheid*

1. The Conference calls upon all States, United Nations organs and intergovernmental and non-governmental organizations to ensure the full and universal implementation of mandatory Security Council resolutions and to make efforts to implement other United Nations resolutions. Particular attention should be paid to specific measures, including those contained in the present Programme of Action, designed to ensure the implementation of the provisions relating to *apartheid*.

2. The Conference reaffirms that the system of *apartheid* in South Africa is the most extreme form of institutionalized racism, a crime against humanity and an affront to the conscience and dignity of mankind, and that South Africa's policies and practices constitute serious breaches of and threats to regional stability and to international peace and security. The Conference calls upon all States, international organizations, private institutions and non-governmental organizations to render increased political and material assistance to the oppressed peoples of South Africa and Namibia and to accelerate greatly campaigns for obtaining the release of all political prisoners imprisoned for their activities against *apartheid*.

3. The Conference further reaffirms the legitimacy of the struggle of the oppressed peoples of South Africa and Namibia and their national liberation movements for the elimination of *apartheid* by all available means, including armed struggle, and the special responsibility of the United Nations and the international community to provide them with moral, political and material assistance in the realization of their quest to exercise their right to self-determination.

4. The Conference reiterates the commitment of the United Nations to the total eradication of *apartheid* and to the establishment of a democratic society in which all the people of South Africa as a whole, irrespective of race, colour, sex or creed, will enjoy equal and full human rights and fundamental freedoms and participate freely in the determination of their destiny.

5. The Conference reaffirms the international community's rejection of the "bantustanization" policy and similar measures which are an integral part of the discriminatory *apartheid* system and which deny the black majority their legitimate rights to their land and to their citizenship of South Africa.

6. The Conference further confirms the international community's rejection of the régime's so-called reforms, especially the limited parliamentary representation for the Coloureds and Asians designed to split the black alliance and buttress the *apartheid* system.

7. The Conference calls upon all States to implement strictly the embargo on the sale and transfer of arms and related military materials imposed against South Africa under Security Council resolution 418 (1977) of 4 November 1977. The Conference further urges the Security Council to adopt urgent measures to strengthen the arms embargo, in accordance with

⁴ Resolution 34/180.

⁵ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eleventh Session, Resolutions*, p. 119.

⁶ United Nations publication, Sales No. F.83.XIV.4 and corrigendum.

⁷ *Ibid.*, chap. II, para. 66.

⁸ Resolution 3057 (XXVIII) annex.

the recommendations of the Council's committee established under its resolution 421 (1977) of 9 December 1977.

8. The Conference calls upon the Security Council to consider urgently the imposition of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against the *apartheid* régime of South Africa, and in particular:

(a) The cessation of all collaboration with South Africa in the nuclear field, as such collaboration would enhance South Africa's capacity to develop nuclear weapons;

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

(c) The cessation of foreign investments in, and financial loans to, South Africa;

(d) An embargo on the supply of petroleum, petroleum products and other strategic commodities that would enable South Africa to continue implementing its *apartheid* policy;

(e) The interruption of trade relations with South Africa.

9. The Conference strongly condemns the racist régime of South Africa for its systematic oppression of and discrimination against the overwhelming majority of the population of South Africa and for its continuing illegal occupation of Namibia. The Conference also condemns acts of military aggression and acts of political and economic destabilization perpetrated by South Africa against the independent neighbouring States of Angola, Botswana, Lesotho, Mozambique, the Seychelles, Swaziland, Zambia and Zimbabwe, as well as South Africa's activities to recruit, train, finance and arm mercenaries for aggression against and destabilization of the neighbouring States, creating instability in this part of the world.

10. The Conference calls for increased international assistance and support to the front-line States and other independent States in the subregion that are subjected to threats and acts of aggression and destabilization by the *apartheid* régime of South Africa, in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity, fight the adverse South African and other propaganda that undermines racial harmony and peace in the subregion, and peacefully rebuild and develop their countries.

11. The Conference calls upon States to sever all sporting, cultural and scientific links with the racist régime and with organizations or institutions in South Africa which practise *apartheid* and to discourage their nationals from having any such contacts.

12. The Conference calls upon all States that have not yet done so:

(a) To refrain from any relations with the *apartheid* régime which could contribute to the continuance of the *apartheid* policy;

(b) To discourage or prevent all business enterprises, including transnational corporations, in so far as they are under their jurisdiction or control, from collaborating in any way with the racist régime of South Africa, as such collaboration may contribute towards the continuance of its *apartheid* policy.

13. The Conference, reaffirming the direct responsibility of the United Nations for Namibia pending its achievement of genuine self-determination, national independence and territorial integrity, demands the immediate and unconditional implementation of Security Council resolution 435 (1978) of 29 September 1978 and calls upon all States, intergovernmental organizations, private institutions and non-governmental organizations to make an active contribution to this aim. The Conference further calls upon all Governments and transnational corporations to implement Decree No. 1 for the Protection of the Natural Resources of Namibia,⁹ enacted by the United Nations Council for Namibia on 27 September 1974, and also calls for the implementation of the measures referred to in General Assembly resolution 37/233 C of 20 December 1982 on Namibia.

14. The Conference calls upon all States, intergovernmental organizations, private institutions and non-governmental organizations to continue to take all necessary measures to ensure the termination of all economic and financial collaboration with the racist régime of South Africa, as such assistance will contribute to the continuance of the policies of *apartheid*, and to refrain from taking any action that might imply recognition of or support for the illegal occupation of the Namibian territory by that régime. In this connection, the Conference cautions against unilateral attempts to relax the application of the sanctions already imposed by the Security Council.

15. The Conference urges the World Bank and the International Monetary Fund, as well as similar institutions, to refrain from extending any credits to the racist régime of South Africa.

B. EDUCATION, TEACHING AND TRAINING

16. The Conference calls upon all States to use effectively education, teaching and training to create a favourable atmosphere for the eradication of racism and racial discrimination. These media should serve as channels for exposing the myths and fallacies of theories, philosophies, ideas and attitudes that are inherent in discriminatory actions based on differences of race, colour, descent and national or ethnic origin. It is imperative for all States to apply strictly the principle of non-discrimination and equality in the matter of education, as set forth in the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization.⁵ The Conference invites States:

(a) To examine history, geography and social studies textbooks with a view to correcting any erroneous assessment of historical and social data, or their unbalanced presentation, which could give rise to racial prejudice;

(b) To ensure that teachers are made conscious of the degree to which they may reflect the prejudices of their society and are instructed to avoid such prejudices;

(c) To provide adequate opportunities in schools and institutions of higher learning for the study of the activities of the United Nations in combating racism, racial discrimination and *apartheid*;

(d) To provide pupils and students at all levels with access to literature and documentation on racism, racial discrimination and *apartheid*;

(e) To ensure that the composition of the teaching staff of institutions reflects, as far as possible, the racial and ethnic composition of the community; affirmative action programmes should be instituted to facilitate the hiring of teachers who represent the racial, ethnic and linguistic composition of the community;

(f) To make available the resources of schools and of teaching and training facilities to persons belonging to all population groups;

(g) To take remedial measures in instances where particular racial, ethnic, linguistic or other groups have had a history of being placed at a disadvantage because of their origin and where such a situation has contributed to a lower level of education and a lower standard of living for persons belonging to various population groups; this is the responsibility of society; it might necessitate special educational programmes at all levels of society;

(h) To make law enforcement agents aware in their training of the possibility that they may reflect the prejudices of their society;

(i) To ensure that school curricula promote a dialogue between persons belonging to the various groups of the society; the curricula should be responsive to the needs and backgrounds of all these persons and foster, where possible, an interchange of cultural experience; in this regard, persons belonging to minority ethnic and racial groups should be allowed to introduce students to the practices and values of the respective cultures; efforts should also be made to allow the topic of human rights to permeate the curricula.

17. National institutions should inform the general public of the nature of their human rights as provided for in the existing international instruments directed towards combating racism, racial discrimination and *apartheid*, as well as in other instruments based on the principles contained in the Universal Declaration of Human Rights or as otherwise covered in national legislation. The general public should be advised by the national institutions on the means of enforcing their rights in accordance with national law. National institutions should ensure that persons are made aware of their own rights and those of others and should assist them in the matter of protecting and enforcing their rights. These institutions should mobilize public opinion in their countries against violations of human rights, especially gross and massive violations, in particular against the practice of *apartheid*, racism and genocide.

18. One of the fundamental objectives of programmes of education and scientific research undertaken in national institutions should be the elimination of racial discrimination and prejudice.

19. It is imperative that all States apply strictly the principle of non-discrimination and equality in the matter of education and adhere to the principles set forth in the Convention against Discrimination in Education.⁵ It is important that the right to enter any school should be guaranteed to every child. The availability of special or supplementary education for children belonging to disadvantaged racial and ethnic groups may be appropriate in some cases for their development.

⁹ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex 11.

20. International agencies such as the United Nations Educational, Scientific and Cultural Organization should continue their work in the field of human rights education and promote such programmes on a continuing basis as guidelines for textbook analysis, teacher training, curriculum development and other undertakings and, in particular, should develop materials explaining how discrimination inherent in the system and institutionalized can be addressed through remedial programmes such as affirmative action plans.

21. As was recommended by the International Conference on *Apartheid* and Health, held at Brazzaville from 16 to 20 November 1981,¹⁰ the World Health Organization should continue to implement the Plan of Action in favour of the victims of *apartheid*, in particular in the fields of health, education and training.

C. DISSEMINATION OF INFORMATION AND THE ROLE OF THE MASS MEDIA IN COMBATING RACISM AND RACIAL DISCRIMINATION

22. The mass media should play a vital role in disseminating information on methods and techniques used in combating racism, racial discrimination and *apartheid*. Taking into account the Declaration on fundamental principles concerning the contribution of the mass media to strengthening peace and international understanding, to the promotion of human rights and countering racialism, *apartheid* and incitement to war, adopted by the United Nations Educational, Scientific and Cultural Organization on 28 November 1978,¹¹ the mass media should regard it as their task, by disseminating information on the aims, aspirations, cultures and needs of all peoples, to contribute to eliminating ignorance and misunderstanding between peoples, to making nationals of a country sensitive to the needs and desires of others, to ensuring respect for the rights and dignity of all nations, all peoples and all individuals without distinction as to race, sex, language, religion or nationality and in that way to contribute to protecting them against the influence of any propaganda supporting racism and racist régimes.

23. The mass media should contribute to making the peoples more aware of the close link between the struggle against *apartheid* and all forms of racism and racial discrimination and the struggle for international peace and security, in accordance with the provisions of the above-mentioned Declaration.

24. Lack of self-expression through the mass media for persons belonging to racial and ethnic minorities in a society can often cause the mass media to become one-sided or distorted. Media of all kinds—radio, television, films, the press, advertising, booklets and public meetings—as well as traditional forms such as drama and story-telling could play a vital role.

25. Events and activities aimed at combating racism and racial discrimination should be given broad coverage by the media. Mention may be made of such activities as the coverage of conferences, seminars, workshops and round tables, as well as of meetings of United Nations organs dealing with a particular question, and the publication and wide distribution of pertinent resolutions and decisions of such bodies. Success stories in combating racial discrimination through legislation, executive action or community action programmes should be given publicity, and the negative and evil side of racism and racial discrimination highlighted. Comic strips, films and magazines for children and adults should be screened with a view to eliminating any form of racial stereotyping, whether favourable or unfavourable. Events having a racial aspect should be presented in their economic and social, cultural and political context; they should not be treated as mere news items.

26. The negative and positive influences exercised by the media in their role as information-conveyors, entertainers, educators and advertisers should be studied. In addition, the media should seek to raise public consciousness about the positive roles and achievements of racial and ethnic groups from all walks of life throughout history. Efforts should be made to produce radio and television programmes depicting the evils of racial discrimination in a vivid way—for example, by illustrating the plight of individual victims of racial discrimination. Such audio and visual presentations are likely to have great impact, particularly in areas where literacy is not widespread.

27. There should be adequate opportunity within the mass media for persons belonging to groups which are victims of discrimination to express their own points of view, particularly by producing programmes or reports themselves. In addition, persons belonging to such groups should have equal access to the professions within the mass media, especially journalism.

28. National institutions should publicize widely basic texts on the elimination of racism, racial discrimination and *apartheid*, as well as other human rights texts.

D. MEASURES FOR THE PROMOTION AND PROTECTION OF THE HUMAN RIGHTS OF PERSONS BELONGING TO MINORITY GROUPS, INDIGENOUS POPULATIONS AND PEOPLES AND MIGRANT WORKERS WHO ARE SUBJECTED TO RACIAL DISCRIMINATION

29. Throughout the various regions of the world there is a diversity of peoples, cultures, traditions and religions that encompasses, in many instances, various minority groups. There is a need for constant effort and continued vigilance on the part of all Governments to obviate any form of discrimination based on race, colour, descent or national or ethnic origin, in accordance with article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination.²

30. National and local institutions, as adapted to the needs and conditions of each country, can play an important role in the promotion and protection of human rights, in the prevention of discrimination and the protection of the rights of persons belonging to national and ethnic minorities, of indigenous populations and of refugees. Such national and local institutions could be of varying types, including judicial, administrative, conciliatory, social and educational. Any or all of these types of institutions could be utilized by individual countries according to their own circumstances and needs.

31. In the area of legislation, Governments should abolish and prohibit any discrimination within their jurisdiction. Such legislation should seek to promote and protect the human rights of persons belonging to minority groups, in accordance with the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights,¹² the International Convention on the Elimination of All Forms of Racial Discrimination² and other relevant international instruments. Persons belonging to minorities should enjoy all human rights and fundamental freedoms without any discrimination as to national or ethnic origin, language, religion or sex.

32. Governments should create favourable conditions and take measures that will enable persons belonging to national or ethnic minorities within their jurisdiction to express their characteristics freely and to develop their education, culture, language, traditions and customs and to participate on a non-discriminatory and equitable basis in the cultural, social, economic and political life of the country in which they live. In maintaining their culture and traditions such persons should be in a position to develop the necessary contacts inside and outside their country, with due respect for the sovereignty, territorial integrity and political independence of the States concerned and for the principle of non-interference by one State in the internal affairs of another State.

33. States should undertake to combat the causes of inter-group antagonism by adopting concrete measures designed to promote understanding, co-operation and harmonious relations among members of population groups. Where tension and friction exist, their elimination cannot be achieved if the realities of political, economic, cultural, religious and linguistic differences between the various components of the society concerned are not taken into account.

34. With respect to indigenous populations, Governments should recognize and respect the basic rights of such populations:

(a) To call themselves by their proper name and to express freely their own identity;

(b) To have official status and to form their own representative organizations;

(c) To maintain within the areas where they live their traditional economic structure and way of life; this should in no way affect their right to participate freely on an equal basis in the economic, social and political development of the country;

(d) To maintain and use their own language, wherever possible, for administration and education;

(e) To enjoy freedom of religion or belief;

(f) To have access to land and natural resources, particularly in the light of the fundamental importance of rights to land and natural resources to their traditions and aspirations;

¹⁰ See *Apartheid and Health* (World Health Organization, Geneva, 1983), Part I.

¹¹ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, p. 100.

¹² Resolution 2200 A (XXI)

(g) To structure, conduct and control their own educational systems.

35. Indigenous populations should be free to manage their own affairs to the fullest practicable extent, and should be consulted in all matters concerning their interests and welfare, wherever possible through formal consultative arrangements. Special measures should be taken to remedy past dispossession, dispersal and systematic discrimination.

36. Funds should be made available by the national authorities for investments, the uses of which are to be determined with the participation of the indigenous populations themselves, in the economic life of the areas concerned, as well as in all spheres of cultural activity.

37. Governments should allow indigenous populations within their territories to develop cultural and social links with related or similar populations, taking into account the important role of international organizations or associations of indigenous populations, and with due respect for the sovereignty, territorial integrity and political independence of the countries in which indigenous populations live.

38. The Conference further urges States to facilitate and support the establishment of representative non-governmental international organizations for indigenous populations, through which they can share experiences and promote common interests. The Sub-Commission on Prevention of Discrimination and Protection of Minorities should ensure that the urgent work being carried out by its Working Group on Indigenous Populations is continued so that the complex issues involved can be analysed and appropriate measures taken at the international and national levels.

39. In view of the vulnerability of indigenous populations to discrimination and violations of their human rights, and of the gravity of the threat faced by indigenous populations in some parts of the world, Governments should pay close attention to situations in which the rights of indigenous populations may be violated or denied, in order to prevent such violations, which should be widely publicized as soon as they are detected.

40. States receiving migrant workers should eliminate all discriminatory practices against such workers and their families by giving them treatment no less favourable than that accorded to their own nationals. Host countries should eliminate from their legislation any type of legal or other provisions which may discriminate against migrant workers on the basis of their nationality. This should pertain, *inter alia*, to vocational training, the type of posts that migrants may occupy, the type of contracts accorded to migrant workers, their right to seek employment in any part of the country, regulations governing working conditions, trade-union activity and access to judicial and administrative tribunals to air grievances concerning discrimination. With a view to combating xenophobia, host countries should develop information campaigns in order to disseminate the idea of equality between nationals and migrant workers.

41. The following measures could also be undertaken by Governments to protect the rights of migrant workers:

(a) The General Assembly should complete, as soon as possible, the elaboration of an international convention on the protection of the rights of all migrant workers and their families; the Conference considers that the conclusion of this convention by the United Nations would constitute an important contribution to its endeavours to protect fundamental human rights, because the convention would be added to the other instruments protecting these rights; the Conference recommends, pending the conclusions of the above-mentioned convention, that a joint consultative mechanism should be established in host countries with a view to contributing to good relations and mutual understanding;

(b) States should ratify, accede to and implement the international instruments aimed at protecting migrant workers from discrimination, including the relevant conventions of the International Labour Organisation;

(c) Migrant workers and members of their families should have the same rights as nationals of the State concerned as regards access to and treatment by the courts and tribunals;

(d) All migrant workers should enjoy treatment no less favourable than that accorded to nationals of the host State in respect of remuneration;

(e) Migrant workers should be ensured equal treatment with national workers in the field of social security, including the right to a retirement pension and similar social rights, while they have lawful residence in the host country;

(f) Host countries should be invited to co-operate with countries of origin to provide migrant workers and their families with the necessary

facilities in the fields of education and information to safeguard their cultural identity;

(g) The children of migrant workers should be enabled to receive education in their mother tongue and on different aspects of their cultural heritage with a view to preserving their national identity;

(h) The State of origin and the State of employment should co-operate, as far as possible, with a view to helping to create new job opportunities for migrant workers returning to the State of origin.

E. RECOURSE PROCEDURES FOR VICTIMS OF RACIAL DISCRIMINATION

42. The Conference invites States to take into account, within their domestic recourse procedures, the following considerations:

(a) Access to such procedures should be as broad as possible;

(b) Existing recourse procedures should be publicized within their respective jurisdictions, and victims of racial discrimination should be assisted in utilizing the procedures where appropriate;

(c) In each jurisdiction the rules relating to the initiation of complaints should be made simple and flexible and capable of being entertained in the language of the complainant;

(d) Complaints of racial discrimination should be dealt with as expeditiously as possible and there should be a reasonable time-limit with regard to the length of investigations;

(e) Indigent victims of racial discrimination should receive legal aid and assistance in prosecuting their complaint in civil or criminal proceedings, with the help of an interpreter when necessary.

43. Victims of racial discrimination should have the right to seek from tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

F. IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION AND OTHER RELATED INTERNATIONAL INSTRUMENTS

44. The Conference urges States which have not yet become parties to the International Convention on the Elimination of All Forms of Racial Discrimination² to do so as part of their contribution to the objectives of the Decade for Action to Combat Racism and Racial Discrimination and until such States ratify the Convention they should utilize its provisions as guidelines in combating racial discrimination and in securing the realization of the principles of equality at both the national and international levels. The Conference calls upon States parties to the Convention to consider the possibility of making the Declaration provided for in article 14 of the Convention.

45. Those States should enact, as a matter of the highest priority, appropriate legislation and other suitable measures to prohibit and bring to an end racial discrimination, to abrogate, amend, rescind or nullify any policies or regulations that have the effect of creating or perpetuating racial hatred and to declare the dissemination of ideas based on racial superiority and hatred to be an offence punishable by law, taking duly into account the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination.

46. The Conference also appeals to States which have not yet done so to consider ratifying or acceding to as soon as possible other relevant international instruments adopted under the aegis of the United Nations and of the specialized agencies, such as the Convention on the Prevention and Punishment of the Crime of Genocide,¹³ the International Covenant on Economic, Social and Cultural Rights,¹² the International Covenant on Civil and Political Rights,¹² the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,¹⁴ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,³ the Convention concerning Discrimination in Respect of Employment and Occupation adopted by the International Labour Organisation on 25 June 1958,¹⁵ the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization⁵ and the Convention on the Elimination of All Forms of Discrimination against Women.⁴ States are urged to comply with the reporting requirements called for by the relevant conventions.

G. NATIONAL LEGISLATION AND INSTITUTIONS

47. The Conference suggests that States that have not already done so should consider the urgent enactment, as a matter of the highest priority, of appropriate legislation and other suitable measures to prohibit and bring to an end racial discrimination, to abrogate, amend, rescind or nullify any

¹³ Resolution 260 A (III).

¹⁴ Resolution 2391 (XXIII).

¹⁵ *International Labour Conventions and Recommendations, 1919-1981* (International Labour Office, Geneva, 1982), p. 47.

policies or regulations that have the effect of creating or perpetuating racial hatred and, with due regard to the principles embodied in the Universal Declaration of Human Rights,¹ the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,¹⁶ the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, *Apartheid* and Incitement to War,¹¹ the Declaration on Race and Racial Prejudice adopted by the United Nations Educational, Scientific and Cultural Organization on 27 November 1978,¹⁷ and the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination,² to declare the dissemination of ideas based on racial superiority and hatred to be an offence punishable by law.

48. The Conference calls upon all States that have not yet done so to take effective legislative and other measures, including in the field of penal law, to prevent the recruitment, use, financing and training, transit and transport of mercenaries, in particular when the aim is to assist racist régimes, and to punish such mercenaries as common criminals. The Conference urges the *Ad Hoc* Committee on the Drafting of an International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, established by the General Assembly at its thirty-fifth session,¹⁸ to complete, as soon as possible, the draft international convention.

49. The Conference urges all States to adopt strict legislation to declare any dissemination of ideas based on racial superiority or hatred to be an offence punishable by law and to prohibit organizations based on racial prejudice and hatred, including neo-Nazi and Fascist organizations, and private clubs and institutions established on the basis of racial criteria or propagating ideas of racial discrimination and *apartheid*.

50. With regard to national legislation, the Conference recommends that:

(a) Governments, where necessary, should guarantee non-discrimination on grounds of race and equal rights for all individuals in their constitutions and legislation;

(b) Governments, where necessary, should undertake to review and update all national legislation and remove from it any discriminatory provisions;

(c) Legislation should be consistent with international standards embodied in relevant international instruments;

(d) Victims of discrimination should be informed and advised of their rights, by all possible means, and given assistance in securing those rights;

(e) Governments should, where necessary, establish appropriate and effective mechanisms, including conciliation and mediation procedures and national commissions, to ensure that such legislation is enforced effectively and thereby to promote equality of opportunity and good race relations.

51. A system of regular review and appraisal should be continued to enable Member States, all organizations of the United Nations system, including relevant regional bodies, and non-governmental organizations, to assess the measures taken towards achieving the aims and objectives of the Decade.

52. Within the framework of their national legislation and policy, and according to their means, States should set up national institutions for the promotion and protection of human rights. Those institutions should study legal developments and review the laws and policies of the Government with a view to ensuring the elimination of all discriminatory laws, prejudices and practices based on race, sex, colour, descent and national and ethnic origin.

H. SEMINARS AND STUDIES

53. The Conference recommends that, in the context of future activities to combat racism and racial discrimination, consideration should be given to the organization of international and regional seminars on such subjects as:

(a) Political, historical, economic, social and cultural factors leading to racism, racial discrimination and *apartheid*;

(b) International assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and *apartheid*;

(c) Ways and means of denying support to racist régimes with a view to making them change their policies;

(d) The historical and current dimensions of tribalism;

(e) Main obstacles to the full eradication of racism, racial discrimination and *apartheid*;

(f) The human rights of persons belonging to ethnic groups in countries of immigration;

(g) Equality of treatment for persons belonging to ethnic and racial minorities and disadvantaged groups, such as indigenous populations;

(h) Community relations commissions and their functions.

54. The Conference also recommends that studies should be continued regarding ways and means of ensuring implementation of United Nations resolutions on *apartheid*, racism and racial discrimination. In particular, the Conference strongly encourages the United Nations Institute for Training and Research to continue to research, study and conduct seminars on racism and racial discrimination.

I. ACTION BY NON-GOVERNMENTAL ORGANIZATIONS

55. By virtue of their independent status, non-governmental organizations, individually and collectively, have an important contribution to make to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination. Through various activities sponsored by them, non-governmental organizations can be effective in identifying and publicizing areas of racial discrimination which otherwise might not come to light and in helping to create greater practical understanding among young people of the importance of actively combating all forms of discrimination, in their own countries as well as in the international community.

56. Non-governmental organizations have the opportunity to create and sustain awareness among their members and in society at large of the evils of racism and racial discrimination. Such awareness can be transmitted from a national to an international organization with all the added benefits of the concrete experience of a particular country. Governments should therefore ensure that non-governmental organizations shall be enabled to function freely and openly within their societies and thus make an effective contribution to the elimination of racism and racial discrimination throughout the world.

J. INTERNATIONAL CO-OPERATION

57. In order to obtain the full promotion and protection of the human rights of individuals and peoples, it is necessary to intensify national, regional and international action aimed at combating and eliminating the causes of the policies and practices of racism, racial discrimination and *apartheid*.

58. The Conference underlines that the maintenance and strengthening of international co-operation and peace, the implementation of human rights and the combating of *apartheid* and racial discrimination are clearly linked. In order to improve mutual understanding among peoples, exchange visits should be increased and educational, cultural and scientific exchange programmes should be expanded. The free flow of information and ideas with respect to combating racism and racial discrimination should be ensured. The Conference calls on States to exchange information and ideas with respect to combating racism and racial discrimination.

59. The Conference calls upon the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held in 1985, to contribute to the struggle against racism, racial discrimination and *apartheid* by recommending the adoption of measures aimed at ensuring the active participation of women in the struggle against those evils.

60. The Conference recommends that, in the context of International Youth Year, in 1985, the United Nations and the specialized agencies should undertake activities to encourage the effective contribution of youth to the struggle against racism, racial discrimination and *apartheid*.

61. The Conference calls upon all Governments and international organizations to make every effort to change the economic, political and social conditions on which policies and practices of racism, racial discrimination and *apartheid* are based and to give all their support to the victims of racism, racial discrimination and *apartheid*, and declares that the struggle against the remnants of colonialism and support of the liberation movements recognized by the regional organizations are worthy of particular attention.

62. Article 28 of the Universal Declaration of Human Rights¹ establishes that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.

¹⁶ Resolution 1904 (XVIII).

¹⁷ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, p. 61.

¹⁸ Resolution 35/48.

For this purpose, it is necessary to work for the establishment of a just and fair international order. The establishment of a new international economic order would be an important means of combating the causes which generate racism and racial discrimination.

63. National, regional and international action to combat and eliminate the causes of the policies and practices of racism, racial discrimination and *apartheid* should include measures aimed at improving the conditions of life of peoples and individuals in the economic, political, social and cultural spheres in order that the great inequalities now existing in the fields of employment, nutrition, health, housing and education, among others, may disappear. International development co-operation has an important role to play in securing the resources required by the developing countries to realize these objectives.

64. The Conference urges Governments, with the co-operation of the relevant international organizations, to consider adopting measures to guarantee, through special conventions or other provisions, asylum and transit facilities to those who desert from the armed forces of the racist régime in southern Africa on grounds of conscience or who are forced to leave because of their opposition to *apartheid*.

65. The Conference proclaims that the elimination of all forms of racial discrimination is a matter of high priority to the United Nations and the international community. It proclaims that racism and racial discrimination in all their manifestations are crimes against the conscience and dignity of mankind and must be eradicated by effective and concerted international action. The Conference pays tribute to the United Nations Educational, Scientific and Cultural Organization for its activities during the Decade to Combat Racism and Racial Discrimination and recommends that, within the framework of its Second Medium-term Plan (1984-1989), that organization should continue:

(a) Its work (studies and research) on the factors of influence in the maintenance, transmission and alteration of prejudices and on the causes and effects of the various forms of racism and racial and ethnic discrimination;

(b) Its efforts to ensure that all groups which suffer from discrimination in the fields of education, science, culture and information shall enjoy equal opportunities with others and that the members of such groups shall have full representation and shall be able to exercise their rights in those fields;

(c) Its programme on the appreciation of differing cultures and the promotion and recognition of the equality of cultures and peoples;

(d) Its research and studies on *apartheid*, and the widest possible dissemination of the results of its work.

66. In spite of the efforts of the international community at the national, regional and international levels during the Decade for Action to Combat Racism and Racial Discrimination, racism, racial discrimination and *apartheid* continue unabated and have shown no sign of diminishing. With a view to reaffirming its unalterable determination to mobilize maximum international pressure to attain the objectives of the Decade, the Conference strongly recommends that the General Assembly declare a Second Decade to Combat Racial Discrimination at the end of the current Decade in December 1983.

38/15. Second World Conference to Combat Racism and Racial Discrimination

The General Assembly,

Recalling its resolution 3057 (XXVIII) of 2 November 1973, by which it designated the ten-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination,

Further recalling its resolution 37/41 of 3 December 1982, by which it decided to convene the Second World Conference to Combat Racism and Racial Discrimination at Geneva from 1 to 12 August 1983,

*Taking note with appreciation of the Report of the Second World Conference to Combat Racism and Racial Discrimination*¹⁹ as well as the report of the Secretary-General on the Conference,²⁰

¹⁹ United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

²⁰ A/38/426.

²¹ Resolution 2200 A (XXI), annex.

Recalling its resolution 38/14 of 22 November 1983, by which the General Assembly proclaimed the ten-year period beginning on 10 December 1983 the Second Decade to Combat Racism and Racial Discrimination,

1. *Expresses its satisfaction* at the serious and constructive work undertaken at the Second World Conference to Combat Racism and Racial Discrimination;

2. *Pays tribute* to the Secretary-General of the Conference for his efforts to promote the aims and objectives of the Conference;

3. *Expresses its firm determination* to continue in the future to attach the highest importance to combating racism and racial discrimination in all their forms;

4. *Appeals* to all Governments, United Nations organs, the specialized agencies and other intergovernmental organizations, as well as the concerned non-governmental organizations in consultative status with the Economic and Social Council, to participate in the observance of the Second Decade to Combat Racism and Racial Discrimination by intensifying and extending their efforts towards ensuring the rapid eradication of racism and racial discrimination;

5. *Decides* to consider at its thirty-ninth session concrete action to be undertaken during the Second Decade.

*66th plenary meeting
22 November 1983*

38/16. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,²¹ as well as in 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 threatening to suppress, or have already suppressed, 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 need for concerted international action to alleviate their conditions,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on