

4. *Requests* the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its forty-second session.

52nd plenary meeting  
31 October 1986

**41/14. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa**

*The General Assembly,*

*Having considered* the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,<sup>4</sup>

*Taking into consideration* the relevant chapter of the report of the United Nations Council for Namibia,<sup>5</sup>

*Recalling* its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, and 40/56 of 2 December 1985 on the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all other resolutions of the United Nations relating to the item,

*Reaffirming* the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

*Reaffirming* that any economic or other activity that impedes the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism, apartheid and racial discrimination in southern Africa and other colonial Territories is in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

*Reaffirming* that the natural resources of all Territories under colonial and racist domination are the heritage of the peoples of those Territories and that the exploitation and depletion of those resources by foreign economic in-

terests, in particular in Namibia, in association with the occupying régime of South Africa, constitute a direct violation of the rights of the peoples and of the principles of the Charter and all relevant resolutions of the United Nations,

*Bearing in mind* the relevant provisions of the Economic Declaration and other documents of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>6</sup> of the Final Document of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries on the question of Namibia, held at New Delhi from 19 to 21 April 1985,<sup>7</sup> and of the Final Political Declaration and the Final Economic Declaration adopted by the Conference of Foreign Ministers of the Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,<sup>8</sup>

*Taking into account* the relevant provisions of the documents adopted by the Second International Conference on Namibia, held at Brussels from 5 to 7 May 1986, the World Conference on Sanctions against Racist South Africa, held in Paris from 16 to 20 June 1986,<sup>9</sup> and the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986,<sup>10</sup>

*Noting with profound concern* that the colonial Powers and certain States, through their activities in the colonial Territories, have continued to disregard United Nations decisions relating to the subject and that they have failed to implement, in particular, the relevant provisions of General Assembly resolutions 2621 (XXV) of 12 October 1970 and 40/52 of 2 December 1985, by which the Assembly called upon the colonial Powers and those Governments that had not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories, particularly in Africa, that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories,

*Condemning* the intensified activities of those foreign economic, financial and other interests that continue to exploit the natural and human resources of the colonial Territories and to accumulate and repatriate huge profits to the detriment of the interests of the inhabitants, particularly in the case of Namibia, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

*Strongly condemning* the support that the racist minority régime of South Africa continues to receive from those foreign economic, financial and other interests that are collaborating with the régime in the exploitation of the natural and human resources of the international Territory of Namibia, in the further entrenchment of its illegal racist domination over the Territory and in the strengthening of its system of apartheid,

*Strongly condemning* the investment of foreign capital in the production of uranium and the collaboration by certain Western and other countries with the racist minority régime of South Africa in the nuclear field, which, by pro-

<sup>6</sup> A/38/132-S/15675 and Corr.1 and 2, annex.

<sup>7</sup> A/40/307-S/17184 and Corr.1, annex.

<sup>8</sup> A/40/854-S/17610 and Corr.1, annexes I and II.

<sup>9</sup> See *Report of the World Conference on Sanctions against Racist South Africa, Paris, 16-20 June 1986* (United Nations publication, Sales No. E.86.I.23), chap. IX.

<sup>10</sup> See *Report of the International Conference for the Immediate Independence of Namibia, Vienna, 7-11 July 1986* (United Nations publication, Sales No. E.86.I.16 and addendum), part three.

<sup>4</sup> *Official Records of the General Assembly, Forty-first Session, Supplement No. 23 (A/41/23)*, chap. IV.

<sup>5</sup> *Ibid.*, Supplement No. 24 (A/41/24), part one, chap. IV, sects. G.3 and P.3.

viding that régime with nuclear equipment and technology, enable it to develop nuclear and military capabilities and to become a nuclear Power, thereby promoting South Africa's continued illegal occupation of Namibia,

*Reaffirming* that the natural resources of Namibia, including its marine resources, are the inviolable and incontestable heritage of the Namibian people and that the exploitation and depletion of those resources, particularly the uranium deposits, as a result of their plunder by South Africa and certain Western and other foreign economic interests, in violation of the Charter, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia,<sup>11</sup> enacted by the United Nations Council for Namibia on 27 September 1974, and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971,<sup>12</sup> are considered to be illegal, that they contribute to the maintenance of the illegal occupation régime and that they are a grave threat to the integrity and prosperity of an independent Namibia,

*Recalling* its endorsement of the decision by the United Nations Council for Namibia that, in the exercise of the Council's rights under the United Nations Convention on the Law of the Sea,<sup>13</sup> the Council would proclaim an exclusive economic zone for Namibia, the outer limit of which shall be 200 miles, and recalling also its statement that any action for the implementation of the Council's decision should be taken in consultation with the South West Africa People's Organization, the sole and authentic representative of the people of Namibia,<sup>14</sup>

*Recalling its approval* of the decision of the United Nations Council for Namibia of 2 May 1985<sup>15</sup> to initiate legal proceedings in the domestic courts of States against corporations or individuals involved in the exploitation, transport, processing or purchase of Namibia's natural resources, as part of its efforts to give effect to Decree No. 1 for the Protection of the Natural Resources of Namibia,

*Concerned* about the conditions in other colonial Territories, including certain Territories in the Caribbean and the Pacific Ocean regions, where foreign economic, financial and other interests continue to deprive the indigenous populations of their rights over the wealth of their countries, and where the inhabitants of those Territories continue to suffer from a loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners, despite the repeated appeals of the General Assembly,

*Conscious* of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories and the elimination of racism, particularly in southern Africa, and emphasizing the importance of action by local authorities, trade unions, religious bodies, academic institutions, mass media, solidarity movements and other non-governmental organizations, as well as individuals, in exercising pressure on transnational corporations to refrain from any investment or activity in the Territory of Namibia, in encouraging a policy of sys-

tematic divestment of any financial or other interest in corporations doing business with South Africa and in counteracting all forms of collaboration with the occupation régime in Namibia,

1. *Reaffirms* the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. *Reiterates* that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

3. *Reaffirms* that, by their depletive exploitation of natural resources, the continued accumulation and repatriation of huge profits and the use of those profits for the enrichment of foreign settlers and the perpetuation of colonial domination and racial discrimination in the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories, particularly in southern Africa, constitute a major obstacle to political independence and racial equality, as well as to the enjoyment of the natural resources of those Territories by the indigenous inhabitants;

4. *Condemns* the activities of foreign economic and other interests in the colonial Territories impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, *apartheid* and racial discrimination;

5. *Condemns* the policies of Governments that continue to support or collaborate with those foreign economic and other interests engaged in exploiting the natural and human resources of the Territories, including, in particular, illegally exploiting Namibia's marine resources, violating the political, economic and social rights and interests of the indigenous peoples and thus obstructing the full and speedy implementation of the Declaration in respect of those Territories;

6. *Strongly condemns* the collaboration of certain Western and other countries with the racist minority régime of South Africa in the nuclear field and calls upon those and all other Governments to refrain from supplying that régime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

7. *Strongly condemns* the collaboration with the racist minority régime of South Africa of certain Western and other countries as well as transnational corporations that continue to make new investments in South Africa and supply the régime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to world peace;

8. *Calls upon* all States, in particular certain Western States, to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa in the political, diplomatic, economic, trade, military and nuclear fields and to refrain from entering into other relations with that régime in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

9. *Calls once again upon* all Governments that have not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies cor-

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

<sup>12</sup> *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports, 1971*, p. 16.

<sup>13</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>14</sup> Resolution 40/97 A, para. 58.

<sup>15</sup> *Ibid.*, para. 65.

porate under their jurisdiction that own and operate enterprises in colonial Territories, particularly in Africa, that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

10. *Calls upon* all States to terminate, or cause to have terminated, any investments in Namibia or loans to the racist minority régime of South Africa and to refrain from any agreements or measures to promote trade or other economic relations with that régime;

11. *Requests* all States that have not yet done so to take effective measures to end the supply of funds and other forms of assistance, including military supplies and equipment, to the racist minority régime of South Africa, which uses such assistance to repress the people of Namibia and their national liberation movement;

12. *Strongly condemns* South Africa for its continued exploitation and plundering of the natural resources of Namibia, leading to the rapid depletion of such resources, in complete disregard of the legitimate interests of the Namibian people, for the creation in the Territory of an economic structure dependent essentially upon its mineral resources and for its illegal extension of the territorial sea and its proclamation of an economic zone off the coast of Namibia;

13. *Reiterates* that all activities of foreign economic interests in Namibia have been considered to be illegal under international law and declares that consequently South Africa and all the foreign economic interests operating in Namibia are liable to pay damages to the future lawful Government of an independent Namibia;

14. *Calls upon* those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist régime of South Africa;

15. *Reiterates* that the exploitation and plundering of the marine and other natural resources of Namibia by South African and other foreign economic interests, including the activities of those transnational corporations that are engaged in the exploitation and export of the Territory's uranium ores and other resources, in violation of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, are considered to be illegal, that they contribute to the maintenance of the illegal occupation régime and that they are a grave threat to the integrity and prosperity of an independent Namibia;

16. *Condemns* the plunder of Namibian uranium and calls upon the Governments of all States, particularly those whose nationals and corporations are involved in the mining or enrichment of, or traffic in, Namibian uranium, to take all appropriate measures in compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including the practice of requiring negative certificates of origin, to prohibit and prevent State-owned and other corporations, together with their subsidiaries, from dealing in Namibian uranium and from engaging in uranium prospecting activities in Namibia;

17. *Requests* the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo,<sup>16</sup> which regulates the activities of Urenco;

18. *Requests* all States, pending the imposition of comprehensive mandatory sanctions against South Africa, to take legislative, administrative and other measures, individually or collectively, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolutions ES-8/2 of 14 September 1981, 36/121 B of 10 December 1981, 37/233 A of 20 December 1982, 38/36 A of 1 December 1983, 39/50 A of 12 December 1984 and 40/97 A of 13 December 1985;

19. *Calls once again upon* all States to discontinue all economic, financial and trade co-operation with the racist minority régime of South Africa concerning Namibia and to refrain from entering into any relations with South Africa, purporting to act on behalf of or concerning Namibia, that may lend support to its continued illegal occupation of that Territory;

20. *Invites* all Governments and organizations of the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and of the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, to ensure, in particular, that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

21. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial Territories to their natural resources and to establish and maintain control over their future development and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

22. *Calls upon* the administering Powers concerned to abolish all discriminatory and unjust wage systems and working conditions prevailing in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

23. *Requests* the Secretary-General to undertake, through the Department of Public Information of the Secretariat, a sustained and broad campaign with a view to informing world public opinion of the facts concerning the pillaging of natural resources in colonial Territories and the exploitation of their indigenous populations by foreign monopolies and, in respect of Namibia, the support they render to the racist minority régime of South Africa;

24. *Appeals* to mass media, trade unions and non-governmental organizations, as well as individuals, to coordinate and intensify their efforts to mobilize international public opinion against the policy of the *apartheid* régime of South Africa and to work for the enforcement of economic and other sanctions against that régime and for encouraging a policy of systematic divestment in corporations doing business in South Africa;

25. *Decides* to continue to monitor closely the situation in the remaining colonial Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interests of the indigenous peoples, at promoting the economic and financial viability of those Territories and at speeding their accession to independence and, in that connection, requests the administering Powers concerned to ensure that the peoples of the Territories under their administration are not exploited for political, military and other purposes detrimental to their interests;

<sup>16</sup> United Nations, *Treaty Series*, vol. 795, No. 11326, p. 308.

26. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-second session.

52nd plenary meeting  
31 October 1986

**41/15. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations**

*The General Assembly,*

*Having considered* the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

*Recalling* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, the Plan of Action for the Full Implementation of the Declaration, contained in the annex to its resolution 35/118 of 11 December 1980, and its resolution 40/56 of 2 December 1985 on the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all other relevant resolutions adopted by the Assembly on this subject, including in particular resolution 40/53 of 2 December 1985,

*Having examined* the reports submitted on the item by the Secretary-General,<sup>17</sup> the Economic and Social Council<sup>18</sup> and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>19</sup>

*Recalling also* its resolutions ES-8/2 of 14 September 1981 and 40/97 of 13 December 1985 on the question of Namibia,

*Taking into account* the relevant provisions of the Declaration of the International Conference for the Immediate Independence of Namibia and the Programme of Action on Namibia<sup>10</sup> and the Declaration adopted by the World Conference on Sanctions against Racist South Africa,<sup>9</sup>

*Bearing in mind* the relevant provisions of the Final Political Declaration and the Final Economic Declaration adopted by the Conference of Foreign Ministers of the Non-Aligned Countries held at Luanda from 4 to 7 September 1985,<sup>8</sup> the final documents of the Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries, held at New Delhi from 16 to 19 April 1986,<sup>20</sup> and the resolution on the question of Namibia adopted by the Council of Ministers of the Organization of African Unity at its forty-third ordinary session, held at Addis Ababa from 25 February to 4 March 1986,

*Aware* that the struggle of the people of Namibia for self-determination and independence is in its crucial stage and has sharply intensified as a consequence of the stepped-up aggression of the illegal colonialist régime of Pretoria

against the people of the Territory and the increased support rendered to that régime by its allies, coupled with efforts to deprive the Namibian people of their hard-won victories in the liberation struggle, and that it is therefore incumbent upon the entire international community decisively to intensify concerted action in support of the people of Namibia and their sole and authentic representative, the South West Africa People's Organization, for the attainment of their goal,

*Concerned* that the policy of "constructive engagement" with the *apartheid* régime of South Africa, as well as economic and military collaboration maintained by some Western countries and Israel with Pretoria, has only encouraged and strengthened the racist régime in its continued illegal occupation and massive militarization and exploitation of Namibia in violation of the relevant resolutions and decisions of the United Nations,

*Gravely concerned* at the continued imperialist and neo-colonialist support for South Africa's oppressive and aggressive policies in Namibia and with respect to independent States in southern Africa, in particular the front-line States, as exemplified by the discussions and resolutions of the Security Council,

*Conscious* of the worsening of the situation in southern Africa because of South Africa's racist policies of oppression, aggression and occupation, which constitute a clear threat to world peace and security, and condemning the continuing breach by South Africa of the obligations assumed by it under the Charter of the United Nations and its persistent non-compliance with the relevant resolutions and decisions of the United Nations,

*Deeply conscious* of the continuing critical need of the Namibian people and their national liberation movement, the South West Africa People's Organization, and the peoples of other colonial Territories for concrete assistance from the specialized agencies and other organizations of the United Nations system in their struggle for liberation from colonial rule and in their efforts to achieve and consolidate their national independence,

*Deeply concerned* that, although there has been progress in the extension of assistance to refugees from Namibia, the actions taken hitherto by the organizations concerned in providing assistance to the people of the Territory through their national liberation movement, the South West Africa People's Organization, still remain inadequate to meet the urgent and growing needs of the Namibian people,

*Reaffirming* the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full and speedy implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, particularly those relating to the provision of moral and material assistance, on a priority basis, to the peoples of the colonial Territories and their national liberation movements,

*Expressing its firm belief* that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system on the one hand and the Organization of African Unity and the South West Africa People's Organization on the other will help these agencies and organizations to overcome procedural and other difficulties which have impeded or delayed the implementation of some assistance programmes,

*Recalling* its resolution 40/97 C of 13 December 1985 requesting all specialized agencies and other organizations and conferences of the United Nations system to grant full

<sup>17</sup> A/41/407 and Add.1.

<sup>18</sup> *Official Records of the General Assembly, Forty-first Session, Supplement No. 3 (A/41/3)*, chaps. I, VI and IX.

<sup>19</sup> *Ibid.*, Supplement No. 23 (A/41/23), chap. VI.

<sup>20</sup> A/41/341-S/18065 and Corr.1, annexes I and II.