

velopment, should include in its final report to the Assembly at its special session in 1980 suggestions and recommendations, relevant to the preparatory work assigned to it in Assembly resolution 34/138, which may result from the consideration of the above-mentioned proposals and from others which may be presented to it, taking into account the interrelationship of the issues.

*104th plenary meeting  
14 December 1979*

#### **34/140. Drafting of an international convention against activities of mercenaries**

*The General Assembly,*

*Deeply concerned* about the increasing menace which the activities of mercenaries represent for all States, particularly African States and other small developing States of the world,

*Recognizing* that mercenarism is a threat to international peace and security and, like murder, piracy and genocide, is a universal crime against humanity,

*Recalling* its resolutions 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970 and 3103 (XXVIII) of 12 December 1973, in which it affirmed the precariousness of the activities of mercenaries in Africa and their effect on international peace and security,

*Recalling also* Security Council resolutions 239 (1967) of 10 July 1967, 405 (1977) of 14 April 1977 and 419 (1977) of 24 November 1977, in which the Council, *inter alia*, condemned any State which persisted in permitting or tolerating the recruitment of mercenaries, and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations,

*Recalling further* the relevant resolutions of the Organization of African Unity and the Convention adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its fourteenth ordinary session, held at Libreville from 2 to 5 July 1977, condemning and outlawing mercenarism and its adverse effects on the independence and territorial integrity of African States,

*Deploring* the increased recruitment, training, assembly, transit and use of mercenaries for the purpose of overthrowing Governments of Member States and of fighting against the national liberation movements of peoples which are struggling against colonial domination or alien occupation or racist régimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>94</sup>

*Calling upon* all States to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure by both administrative and legislative measures that their territory and other territories under their control, as well as their nationals, are not used for the planning of subversion and recruitment, assembly, financing, training and transit of mercenaries designed to subvert or overthrow the Government of any Member State and to fight the national liberation movements of peoples which are struggling against colonial domination or alien occupation or racist régimes in the exercise of

their right of self-determination, as enshrined in the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

1. *Decides* to consider the drafting of an international convention to outlaw mercenarism in all its manifestations;

2. *Urges* all States to consider effective measures to prohibit the recruitment, training, assembly, transit and use of mercenaries within their territories;

3. *Invites* all Member States to communicate to the Secretary-General before the thirty-fifth session of the General Assembly their views and comments on the need to elaborate urgently an international convention to prohibit the recruitment, use, financing and training of mercenaries;

4. *Decides* to include in the provisional agenda of its thirty-fifth session an item entitled "Drafting of an international convention against the recruitment, use, financing and training of mercenaries".

*104th plenary meeting  
14 December 1979*

#### **34/192. Question of Southern Rhodesia<sup>95</sup>**

*The General Assembly,*

*Having considered* the question of Southern Rhodesia (Zimbabwe),

*Having examined* the relevant chapters 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,<sup>96</sup>

*Having heard* the statements of the representative of the administering Power,<sup>97</sup>

*Having heard also* the statements of the representatives of the Patriotic Front<sup>98</sup> who participated in an observer capacity in the consideration of the item,

*Recalling* its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, as well as all other resolutions relating to the question of Southern Rhodesia adopted by the General Assembly, the Security Council and the Special Committee,

*Reaffirming* the responsibility of the United Nations in support of the struggle of the people of Southern Rhodesia for the exercise of their inalienable right to self-determination and independence,

*Bearing in mind* that the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, has the primary responsibility for decolonizing Southern Rhodesia (Zimbabwe) in conformity with resolution 1514 (XV) and putting an end to the critical situation which, as repeatedly affirmed by

<sup>95</sup> See also sect. X.B.6, decision 34/424.

<sup>96</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 23 (A/34/23/Rev.1)*, chaps. V-VIII.

<sup>97</sup> *Ibid.*, *Thirty-fourth Session, Fourth Committee*, 29th meeting, paras. 5-17, and 36th meeting, paras. 29-33; and *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum. For the full text of the statement made at the 29th meeting, see A/C.4/34/L.27.

<sup>98</sup> *Ibid.*, 26th meeting, paras. 9-23, and 31st meeting, paras. 11-19; and *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum. For the full texts, see A/C.4/34/L.26 and 28.

<sup>94</sup> Resolution 2625 (XXV), annex.

the Security Council, constitutes a threat to international peace and security,

*Noting* that the Government of the United Kingdom has resumed its responsibility as the administering Power and is committed to decolonize Southern Rhodesia on the basis of free and democratic elections which will lead Southern Rhodesia to genuine independence accepted by the international community,

*Bearing in mind* the resolution on Zimbabwe adopted by the Council of Ministers of the Organization of African Unity at its thirty-third ordinary session, held at Monrovia from 6 to 20 July 1979,<sup>99</sup> especially its affirmation of the Patriotic Front as the sole, legitimate and authentic representative of the people of Zimbabwe,

*Bearing in mind also* the relevant provisions of the Political Declaration adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,<sup>100</sup>

*Concerned* about the threats South Africa poses to the independence, unity and peace of Zimbabwe,

*Concerned also* about the threat posed by mercenaries to the establishment of genuine independence in Zimbabwe,

*Bearing in mind* that the negotiations at Lancaster House in London were the direct result of the armed struggle by the people of Zimbabwe led by the Patriotic Front, their sole legitimate representative,

*Commending* the firm determination of the people of Zimbabwe, under the leadership of the Patriotic Front, to achieve freedom and independence,

*Deploring* the moves by certain States to lift sanctions unilaterally, in violation of the measures imposed by the Security Council under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the inalienable right of the people of Zimbabwe to self-determination, freedom and independence and the legitimacy of their struggle to secure by all means at their disposal the enjoyment of that right, as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);

2. *Reaffirms* the principle that there should be no independence before majority rule in Zimbabwe and, in this regard, takes note of the agreements reached at

Lancaster House intended to bring about genuine independence on the basis of free and fair elections;

3. *Commends* the Patriotic Front for its decisive contribution in the negotiations and solemnly declares that a just and lasting settlement in Zimbabwe is possible only with the full participation of the Patriotic Front at every stage of implementation of the agreements reached at Lancaster House;

4. *Calls* for the full and faithful implementation of the agreements reached at Lancaster House;

5. *Strongly condemns* the racist régime of South Africa for its intervention in Southern Rhodesia, including the presence in the Territory of its military and security forces;

6. *Strongly condemns also* the presence of mercenaries in Southern Rhodesia;

7. *Calls upon* the administering Power to ensure the immediate and complete withdrawal of South African forces as well as all mercenaries from Southern Rhodesia;

8. *Calls upon* the administering Power also to ensure that South Africa shall not carry out its threats to undermine the implementation of the agreements reached at Lancaster House;

9. *Declares* that Security Council resolution 253 (1968) of 29 May 1968, imposing mandatory sanctions against Southern Rhodesia, can be revoked only by a decision of the Council and that any unilateral action in this regard would be in violation of the obligation assumed by Member States under Article 25 of the Charter;

10. *Calls upon* the Security Council to follow the situation closely until the people of Zimbabwe achieve genuine independence and majority rule;

11. *Requests* all States to give urgently substantial material assistance to the Governments of Angola, Botswana, Mozambique and Zambia to enable them to rebuild their socio-economic infrastructure adversely affected by constant acts of aggression by the illegal racist minority régime in Southern Rhodesia and by the application of the mandatory sanctions imposed by the Security Council;

12. *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 keep the situation in the Territory under review and to report thereon to the General Assembly at its thirty-fifth session.

*108th plenary meeting  
18 December 1979*

<sup>99</sup> A/34/552, annex I, resolution CM/Res.719 (XXXIII).

<sup>100</sup> See A/34/542, annex, sect. I, paras. 51-60.