

social conditions and to pay particular attention to overcoming problems of unemployment, public housing, health care, education and crime and, in that connection, notes with satisfaction the efforts to revitalize health care programmes and to discourage juvenile delinquency, the measures to improve crime prevention and the action taken to expand and upgrade school facilities;

13. *Considers* that the possibility of sending a further visiting mission to the United States Virgin Islands at an appropriate time should be kept under review;

14. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the United States Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

86th plenary meeting
7 December 1983

38/49. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

The General Assembly,

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 information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations²⁵ and the action taken by the Committee in respect of that information,

Having also examined the report of the Secretary-General on the question,²⁶

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration,

Recalling also its resolution 37/29 of 23 November 1982, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Noting the decision of the Government of the United Kingdom of Great Britain and Northern Ireland to resume transmission of information with respect to Anguilla, under Article 73 e of the Charter,²⁷

1. *Approves* 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 information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations;

2. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government under the terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

²⁵ *Ibid.*, chap. VII.

²⁶ A/38/477.

²⁷ See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. VII, para. 8.

²⁸ *Ibid.*, chap. V.

3. *Requests* the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

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 thirty-ninth session.

86th plenary meeting
7 December 1983

38/50. 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 this question,²⁸

Taking into consideration the relevant chapter of the report of the United Nations Council for Namibia,²⁹

Having considered the report of the United Nations Centre on Transnational Corporations,³⁰ relating to the preparation of a register indicating the profits that transnational corporations derive from their activities in colonial Territories, submitted in pursuance of General Assembly resolution 37/31 of 23 November 1982,

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, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, 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,

Taking into account the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia,³¹ adopted at the International Conference in

²⁹ *Ibid.*, Supplement No. 24 (A/38/24), part two, chap. IV.

³⁰ A/38/444, annex.

³¹ *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13)*, paras. 165-195 and 220-242.

Support of the Struggle of the Namibian People for Independence.

Reaffirming that any economic or other activity which 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 interests, 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 1983,³²

Taking into account the relevant provisions of the Arusha Declaration and Programme of Action on Namibia,³³ adopted by the United Nations Council for Namibia on 13 May 1982 at its extraordinary plenary meeting held at Arusha, United Republic of Tanzania.

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 item and that they have failed to implement, in particular, the relevant provisions of General Assembly resolutions 2621 (XXV) and 37/31, by which the Assembly called upon all 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, which 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 which 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 which the racist minority régime of South Africa continues to receive from those foreign economic, financial and other interests which are collaborating with it 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 of certain Western States and other States with the racist minority régime of South Africa in the nuclear field which, by

providing 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 resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the illegal colonial administration, 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, enacted by the United Nations Council for Namibia on 27 September 1974,³⁴ and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971,³⁵ is illegal and contributes to the maintenance of the illegal occupation régime,

Concerned about the conditions in other colonial Territories, including certain Territories in the Caribbean and the Pacific 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,

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 entrenchment 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

³² See A/38/132-S/15675 and Corr.1 and 2, annex.

³³ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), para. 767.

³⁴ Ibid., Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

³⁵ 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.

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 collusion of the Governments of certain Western States and other States 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 that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

7. *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 monitor closely the situation in other Non-Self-Governing 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 and their speedy accession to independence and that those peoples are not exploited for political, military and other purposes detrimental to their interests;

8. *Strongly condemns* those Western States and all other States, as well as the transnational corporations, which continue their investments in, and supply of armaments and oil and nuclear technology to, the racist régime of South Africa, thus buttressing it and aggravating the threat to world peace;

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

10. *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 corporate under their jurisdiction that own and operate enterprises in colonial Territories, particularly in Africa, which 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;

11. *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;

12. *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;

13. *Strongly condemns* South Africa for its continued exploitation and plundering of the natural resources of Namibia, 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;

14. *Calls upon* those oil-producing and oil-exporting countries that have not yet done so to take effective meas-

ures 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 natural resources of Namibia by South African and other foreign economic interests, including the activities of those transnational corporations which 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 illegal and contribute to the maintenance of the illegal occupation régime;

16. *Calls upon* the Governments of all States, particularly those whose corporations are involved in the mining and processing of 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* all States to take legislative, administrative and other measures, 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 and 37/233 A of 20 December 1982;

18. *Calls once again upon* all States to discontinue all economic, financial and trade relations 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, which may lend support to its continued illegal occupation of that Territory;

19. *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;

20. *Calls upon* the administering Powers 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;

21. *Requests* the Secretary-General to continue, 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;

22. *Appeals* to all non-governmental organizations to continue their campaign to mobilize international public opinion for the enforcement of economic and other sanctions against the Pretoria régime;

23. *Takes note* of the register prepared by the United Nations Centre on Transnational Corporations and requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peo-

ples to take due account of the register in connection with its consideration of the related items;

24. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting
7 December 1983*

38/51. 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 examined 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, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to its resolution 35/118 of 11 December 1980, as well as all other relevant resolutions adopted by the General Assembly on this subject, in particular resolution 36/52 of 24 November 1981 on the item and 37/233 of 20 December 1982 on the question of Namibia,

Having examined the reports submitted on the item by the Secretary-General,³⁶ the Economic and Social Council³⁷ 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,³⁸

Taking into account the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia³¹ adopted at the International Conference in Support of the Struggle of the Namibian People for Independence,

Bearing in mind the relevant provisions of the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,³² and other documents of the Co-ordinating Bureau of the Non-Aligned Countries,

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 by the illegal colonialist régime of Pretoria against the people of the Territory and the increased general support rendered to that régime by certain Western countries, especially the United States of America and Israel, 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.

Deeply conscious of the critical need of the Namibian people and their national liberation movement, the South West Africa People's Organization, and of 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.

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 the Declaration on the Granting of Independence to Colonial Countries and Peoples 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,

Deeply concerned that, although there has been progress in the extension of assistance to refugees from Namibia, the action 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 remains inadequate to meet the urgent and growing needs of the Namibian people.

Expressing its confident hope that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system and the Organization of African Unity and the national liberation movement concerned will help to overcome procedural and other difficulties which have impeded or delayed the implementation of some assistance programmes.

Recalling its resolution 37/233 C of 20 December 1982, requesting all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to the United Nations Council for Namibia as the legal Administering Authority for Namibia,

Expressing its appreciation to the General Secretariat of the Organization of African Unity for the continued co-operation and assistance extended by it to the specialized agencies and other organizations of the United Nations system in connection with the implementation of the relevant resolutions of the United Nations.

Expressing its appreciation also to the Governments of the front-line States for the steadfast support extended to the people of Namibia and their national liberation movement, the South West Africa People's Organization, in their just and legitimate struggle for the attainment of freedom and independence, despite increased armed attacks by the forces of the racist régime of South Africa, and aware of the particular needs of those Governments for assistance in that connection.

Noting the efforts of the United Nations Development Programme in the extension of assistance to the national liberation movements and commending its initiative in establishing channels for closer periodic contacts and consultations between the specialized agencies and other organizations of the United Nations system and the Organization of African Unity and the national liberation movements in the formulation of assistance programmes.

Noting also the support given by the specialized agencies and other organizations of the United Nations system to the implementation of the Nationhood Programme for Namibia, in accordance with General Assembly resolution 32/9 A of 4 November 1977.

Deploping the continued links with and assistance rendered to South Africa by certain specialized agencies in the financial, economic, technical and other fields, in contravention of the relevant resolutions of the United Nations.

³⁶ A/38/111 and Add.1 and 2, Add.3 and Corr.1 and Add.4.

³⁷ *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 3 (A/38/3),* chaps. 1 and VI.

³⁸ *Ibid.*, Supplement No. 23 (A/38/23), chap. VI.