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39/15. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975, 33/23 of 29 November 1978, 35/32 of 14 November 1980 and 37/39 of 3 December 1982,

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

December 1974, containing the Charter of Economic Rights and Duties of States,

Mindful of its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of both developing countries and territories under colonial and foreign domination or subjected to the apartheid régime.

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

Taking into account, in particular, the relevant decisions adopted by the Assembly of Heads of State and Govern-

ment of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,¹ and by the Council of Ministers of that organization at its fortieth ordinary session, held at Addis Ababa from 27 February to 5 March 1984.²

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

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

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

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

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

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

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

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

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

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

3. *Vigorously condemns* the collaboration of certain Western States, Israel and other States, as well as the transnational corporations and other organizations which maintain or continue to increase their collaboration with the racist régime of South Africa, especially in the political, economic, military and nuclear fields, thus encouraging that régime to persist in its inhuman and criminal policy of brutal oppression of the peoples of southern Africa and denial of their human rights;

4. *Reaffirms once again* that States and organizations which give assistance to the racist régime of South Africa become accomplices in the inhuman practices of racial dis-

crimination, colonialism and *apartheid* perpetrated by that régime, as well as in the acts of aggression against the liberation movements and neighbouring States;

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

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

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

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

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

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

7. *Expresses its appreciation* to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report.³

8. *Reaffirms* that the updating of the report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régime in southern Africa is of the greatest importance to the cause of fighting *apartheid* and other violations of human rights in South Africa and Namibia;

9. *Invites* the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist and colonialist régime of South Africa, giving such details regarding enterprises listed as the Rapporteur may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report to the General Assembly at its forty-first session;

(b) To use all available material from other United Nations organs, Member States, national liberation movements recognized by the Organization of African Unity, specialized agencies and other intergovernmental and non-governmental organizations, as well as other relevant sources, in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist régime of South Africa;

(c) To initiate direct contacts with the United Nations Centre on Transnational Corporations and the Centre against *Apartheid* of the Secretariat, with a view to consolidating mutual co-operation in updating his report;

10. *Requests* the Secretary-General to give the Special Rapporteur all the assistance, including adequate travel funds, that he may require in the exercise of his mandate, with a view in particular to establishing direct contacts with the United Nations Centre on Transnational Corporations and the Centre against *Apartheid*, to expanding his work on the annotation of certain selected cases as reflected in the list contained in his report and to continuing the computerization of future updated lists;

11. *Calls upon* the Governments of the countries where the banks, transnational corporations and other

¹ See A/38/312, annex.

² See A/39/207, annex.

³ E/CN.4/Sub.2/1984/8 and Add.1 and 2.

organizations named and listed in the updated report are based to take effective action to put a stop to their trading, manufacturing and investing activities in the territory of South Africa as well as in the Territory of Namibia illegally occupied by the racist Pretoria régime;

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

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

14. *Invites* the Secretary-General to give the updated report the widest dissemination, to issue it as a United Nations publication and to make it available to learned societies, research centres, universities, political and humanitarian organizations and other interested groups;

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

16. *Invites* the Commission on Human Rights to give high priority at its forty-first session to the consideration of the updated report;

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

*71st plenary meeting
23 November 1984*

39/16. 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,⁴ the International Convention on the Elimination of All Forms of Racial Discrimination,⁵ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*⁶ and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,⁷

Recalling also its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination, and its resolution 38

14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling further the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983, respectively,

Taking note once again of the *Report of the Second World Conference to Combat Racism and Racial Discrimination*,⁸

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 Action⁹ for the Second Decade to Combat Racial Discrimination,

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

Emphasizing the necessity of attaining the objectives of the Second Decade to Combat Racism and Racial Discrimination,

Convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of *apartheid* in South Africa,

1. *Resolves once again* that all forms of racism and racial discrimination, particularly in their institutionalized form, such as *apartheid*, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. *Appeals* to the international community, in general, and the United Nations, in particular, to continue to give the highest priority to programmes for combating racism, racial discrimination and *apartheid*, and to intensify its own efforts, during the Second Decade to Combat Racism and Racial Discrimination, to provide assistance and relief to the victims of racism and all forms of racial discrimination and *apartheid*, especially in South Africa and Namibia and in occupied territories and territories under alien domination;

3. *Appeals* to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and *apartheid* and to provide relief and assistance to the victims of these evils;

4. *Appeals* to all Governments to review their laws and enact appropriate legislation with a view to ensuring that any victim of racism or racial discrimination has adequate protection, avenues of recourse and assistance;

5. *Invites* the concerned organs of the United Nations, in particular the Committee on the Elimination of Racial Discrimination, the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as the relevant specialized agencies, to continue exercising vigilance in identifying actual or emergent situations of racism or racial discrimination, to draw attention to them where discovered and to suggest appropriate remedial measures;

6. *Invites* the Secretary-General to proceed immediately with the implementation of the activities outlined in

⁴ Resolution 217 A (III).

⁵ Resolution 2106 A (XX), annex.

⁶ Resolution 3068 (XXVIII), annex.

⁷ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eleventh Session, Resolutions*, p. 119.

⁸ United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

⁹ *Ibid.*, chap. II.