

32. *Strongly condemns* the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana and demands that the racist régime pay full and adequate compensation to Botswana for the loss of life and damage to property;

33. *Strongly condemns* the escalation of massacres of defenceless people and the continuing destruction of economic and social infrastructures perpetrated against Mozambique by armed terrorists, who are an extension of the South African army of aggression;

34. *Denounces* the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel;⁶⁷

35. *Strongly condemns* the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa encourage that régime to persist in its suppression of the aspirations of the peoples to self-determination and independence;

36. *Again demands* the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries that maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related *matériel*;

37. *Reaffirms* all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 42/78 of 4 December 1987, and calls upon the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to this question;

38. *Notes* the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on this question;

39. *Calls* for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and *apartheid* through national liberation movements recognized by the Organization of African Unity;

40. *Demands* the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights,² under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

41. *Strongly condemns* the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

42. *Urges* all States, the specialized agencies, organizations of the United Nations system and other international organizations to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain

its right to self-determination and independence in accordance with the Charter;

43. *Expresses its appreciation* for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and intergovernmental organizations, and calls for a substantial increase in that assistance;

44. *Urges* all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

45. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities in this regard;

46. *Decides* to consider this item at its forty-fourth session on the basis of the reports on the strengthening of assistance to colonial territories and peoples that Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations have been requested to submit.

75th plenary meeting
8 December 1988

43/107. Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The General Assembly,

Bearing in mind the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as scrupulous respect for the principle of the non-use or threat of the use of force in international relations, enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,⁷⁴

Reaffirming the legitimacy of the struggle of peoples and their liberation movements for their independence, territorial integrity, national unity and liberation from colonial domination, *apartheid* and foreign intervention and occupation, and that their legitimate struggle can in no way be considered as or equated to mercenary activity,

Deeply concerned about the increasing menace that the activities of mercenaries represent for all States, particularly African, Central American and other developing States,

Recognizing that the use of mercenaries is a threat to international peace and security,

Recognizing also that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and seriously im-

⁷⁴ Resolution 2625 (XXV), annex.

pede the process of self-determination of peoples struggling against colonialism, racism and *apartheid* and all forms of foreign domination,

Recalling all of its relevant resolutions, particularly resolution 42/96 of 7 December 1987, in which it denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

Recalling also Security Council resolutions 239 (1967) of 10 July 1967, 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the Council, *inter alia*, condemned any State that 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,

Welcoming Commission on Human Rights resolution 1988/7 of 22 February 1988,⁷⁵ in which the Commission condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries,

Reaffirming its decision, in its resolution 32/130 of 16 December 1977, to accord priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting, *inter alia*, from aggression and threats against national sovereignty, national unity and territorial integrity,

Recalling 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 1977,⁷⁵ condemning and outlawing the use of mercenaries and its adverse effects on the independence and territorial integrity of African States,

Deeply concerned about the loss of life, the substantial damage to property and the short-term and long-term negative effects on the economy of southern African countries resulting from mercenary aggression,

Taking note with appreciation of the reports of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination,⁷⁶

1. Condemns the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as all other forms of support to mercenaries for the purpose of destabilizing and overthrowing the Governments of southern Africa and Central America and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;

2. Strongly condemns the racist régime of South Africa for its increasing use of groups of armed mercenaries against national liberation movements and for the destabilization of the Governments of southern African States;

3. Denounces any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;

4. Calls 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 the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or the planning of such activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, *apartheid*, colonial domination and foreign intervention and occupation for their independence, territorial integrity and national unity;

5. Urges all States to take the necessary measures under their respective domestic laws to prohibit the recruitment, financing, training and transit of mercenaries on their territory;

6. Calls upon all States to extend humanitarian assistance to victims of situations resulting from the use of mercenaries, as well as from colonial or alien domination or foreign occupation;

7. Considers it inadmissible to use channels of humanitarian and other assistance to finance, train and arm mercenaries;

8. Welcomes the provisions of Commission on Human Rights resolution 1988/7 aimed at giving the Special Rapporteur on the question of the use of mercenaries the full opportunity to carry out his mandate most effectively;

9. Expresses its appreciation to the Special Rapporteur for his reports and especially for his preliminary conclusions and recommendations;

10. Decides to examine at its forty-fourth session the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination under the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights";

11. Emphasizes the importance of having the Special Rapporteur present his report during the consideration of the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights", and requests the Secretary-General to make the same report available to the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, for its information.

75th plenary meeting
8 December 1988

43/108. Elimination of all forms of religious intolerance

The General Assembly,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 42/97 of 7 December 1987, in which it requested the Commission on Human Rights to

⁷⁵ See A/32/310, annex II.

⁷⁶ A/43/632, annex, and A/43/735, annex.