

*Reiterating* the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights instrument adopted under the auspices of the United Nations,

*Aware* of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

*Welcoming* the report of the Committee on the work of its thirty-seventh session,<sup>60</sup>

*Reiterating once again* the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of *apartheid* in South Africa and Namibia,

*Emphasizing* the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

*Recalling* the urgent appeals made by the Secretary-General, the General Assembly, the eleventh and twelfth meetings of States parties to the Convention and the Committee itself to the States parties to honour their financial obligations under the Convention,

*Gravely concerned* that, despite those appeals and other efforts, the meeting schedule of the Committee has been interrupted and the proper functioning of the Committee continues to deteriorate,

*Expressing its appreciation* for the efforts of the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

*Having considered* the report of the Secretary-General on the question of financing the expenses of the members of the Committee,<sup>61</sup>

1. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, which led to the cancellation of the February/March 1989 session of the Committee on the Elimination of Racial Discrimination;

2. *Expresses once again its concern* that such a situation led to a further delay in the discharge of the substantive obligations of the Committee under the Convention;

3. *Commends* the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. *Takes note with appreciation* of the report of the Committee on the work of its thirty-seventh session;

5. *Calls upon* States parties to fulfil their obligations under article 9, paragraph 1, of the Convention and to submit in due time their periodic reports on measures taken to implement the Convention;

6. *Endorses* the decision of the Committee<sup>62</sup> to hold one of its regular sessions in New York, if resources are available, in commemoration of its twentieth year of activities under the Convention, to coincide with the International Day for the Elimination of Racial Discrimination, 21 March 1990;

7. *Strongly appeals* to all States parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention and to pay their outstanding contributions and, if possible, their contributions for 1990 before 1 February 1990, so as to enable the Committee to meet regularly;

8. *Invites* the Secretary-General to do everything possible to ensure that funds are available to meet all the costs of the meetings of the Committee in 1990, including the expenses of its members;

9. *Requests* the Secretary-General to invite those States parties which are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its forty-fifth session;

10. *Invites* the Secretary-General to report to the States parties at their thirteenth meeting on all legal and administrative measures that the States parties and the General Assembly could take to guarantee the regular functioning of the Committee;

11. *Invites* States parties at their thirteenth meeting to decide on administrative and legal measures to improve the financial situation of the Committee;

12. *Decides* to consider at its forty-fifth session, under the item entitled "Elimination of all forms of racial discrimination", the next report of the Committee, as well as the report of the Secretary-General on the financial situation of the Committee.

78th plenary meeting  
8 December 1989

#### 44/69. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

*The General Assembly,*

*Recalling* its resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987 and 43/97 of 8 December 1988,

*Mindful* that the International Convention on the Suppression and Punishment of the Crime of *Apartheid*<sup>12</sup> constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights,<sup>4</sup>

*Reaffirming* its conviction that *apartheid* is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of human rights, seriously threatening international peace and security,

*Strongly condemning* the abhorrent policy and system of *apartheid* and the brutal repression it engenders, which continue to aggravate the situation in South Africa,

*Emphasizing* that the root cause of the conflict in southern Africa is *apartheid* and the racist régime's policy of aggression, State terrorism and destabilization against the front-line and other neighbouring States,

*Condemning* the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of *apartheid*,

*Firmly convinced* that the legitimate struggle of the oppressed peoples in southern Africa against *apartheid*, racism and colonialism and for the effective implementation of their inalienable right to self-determination and independence demands more than ever all necessary support

<sup>60</sup> Official Records of the General Assembly, Forty-fourth Session, Supplement No. 18 (A/44/18).

<sup>61</sup> A/44/593.

<sup>62</sup> See Official Records of the General Assembly, Forty-fourth Session, Supplement No. 18 (A/44/18), para. 468.

by the international community and, in particular, further action by the Security Council in accordance with Chapter VII of the Charter,

*Underlining* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions without any delay are necessary for its effectiveness and will therefore contribute to the eradication of the crime of *apartheid*,

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;<sup>63</sup>

2. *Commends* those States parties to the Convention that have submitted their reports under article VII thereof;

3. *Appeals once again* to those States that have not yet done so to ratify or to accede to the Convention without further delay, in particular those States that have jurisdiction over transnational corporations operating in South Africa and Namibia and without whose co-operation such operations could not be halted;

4. *Underlines* the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

5. *Recalls with satisfaction* the report of the Group of Three of the Commission on Human Rights,<sup>64</sup> which was set up under the Convention, and, in particular, the conclusions and recommendations contained in that report;

6. *Once again draws the attention* of all States to the opinion expressed by the Group of Three in its report that transnational corporations operating in South Africa and Namibia must be considered accomplices in the crime of *apartheid*, in accordance with article III (b) of the Convention;<sup>65</sup>

7. *Calls upon* all States whose transnational corporations continue to do business with South Africa to take appropriate steps to terminate their dealings with South Africa;

8. *Requests* the Commission on Human Rights to intensify, in co-operation with the Special Committee against *Apartheid*, its efforts to compile periodically the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom or which legal proceedings have been undertaken;

9. *Requests* the Secretary-General to circulate that list among all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;

10. *Also requests* the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of *apartheid*, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

11. *Notes* the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;

12. *Appeals* to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist régime of South Africa;

13. *Requests* the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

14. *Also requests* the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

78th plenary meeting  
8 December 1989

#### 44/70. Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons

*The General Assembly,*

*Recalling* all its relevant resolutions, including resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,<sup>50</sup> and resolution 37/53 of 3 December 1982, in which, *inter alia*, it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons,

*Recalling also* its resolution 43/98 of 8 December 1988, and reaffirming all of the relevant provisions contained therein, in particular the list of priorities for global activities and programmes during the second half of the United Nations Decade of Disabled Persons set forth in the annex to the resolution,

*Taking note* of Economic and Social Council resolution 1989/52 of 24 May 1989, in which the Council, *inter alia*, urged Member States, bodies and organizations of the United Nations system and intergovernmental and non-governmental organizations to provide all possible support to the awareness and fund-raising campaigns to give added momentum to the Decade,

*Noting* the important work currently being undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on human rights and disability, which could serve as a useful basis for the continued efforts to ensure for disabled persons the enjoyment of human rights and fundamental freedoms,

*Taking into account* the concrete measures already carried out by the Governments of Member States, the bodies and organizations of the United Nations system and non-governmental organizations to implement the objectives of the World Programme of Action within the framework of the Decade, and recognizing that much more should be done at all levels to improve the living conditions of persons with disabilities,

*Mindful* that Member States bear the ultimate responsibility for the implementation of the World Programme of Action and that national disability committees or similar co-ordinating bodies play a crucial role in this regard,

*Recognizing* the pivotal role of the United Nations in promoting the exchange of information, experience and expertise and closer regional and interregional co-operation towards more effective strategies and policies to advance the status and welfare of persons with disabilities,

*Stressing* that the Centre for Social Development and Humanitarian Affairs of the Secretariat is the focal point

<sup>63</sup> A/44/442.

<sup>64</sup> E/CN.4/1988/32.

<sup>65</sup> *Ibid.*, para. 34.