

45/131. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,¹⁷⁴ as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth,¹⁷⁴ thirty-seventh,¹⁷⁵ thirty-eighth,¹⁷⁶ thirty-ninth,¹⁷⁷ fortieth,¹⁷⁸ forty-first,¹⁷⁹ forty-second,¹⁸⁰ forty-third,¹⁸¹ forty-fourth,¹⁸² forty-fifth¹⁸³ and forty-sixth sessions,³

Reiterating its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988 and 44/80 of 8 December 1989,

Taking note of the report of the Secretary-General,¹⁸⁴

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a

¹⁷⁴ See *Official Records of the Economic and Social Council, 1980, Supplement No. 3 and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.*

¹⁷⁵ *Ibid.*, 1981, *Supplement No. 5 and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.*

¹⁷⁶ *Ibid.*, 1982, *Supplement No. 2 and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.*

¹⁷⁷ *Ibid.*, 1983, *Supplement No. 3 and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.*

¹⁷⁸ *Ibid.*, 1984, *Supplement No. 4 and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.*

¹⁷⁹ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22), chap. II, sect. A.*

¹⁸⁰ *Ibid.*, 1986, *Supplement No. 2 (E/1986/22), chap. II, sect. A.*

¹⁸¹ *Ibid.*, 1987, *Supplement No. 5 and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.*

¹⁸² *Ibid.*, 1988, *Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.*

¹⁸³ *Ibid.*, 1989, *Supplement No. 2 (E/1989/20), chap. II, sect. A.*

¹⁸⁴ A/45/500.

fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of these acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this issue to the General Assembly at its forty-sixth session 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".

*68th plenary meeting
14 December 1990*

45/132. 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,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as a scrupulous respect for the principle of the non-use or threat of the use of force in international relations, as 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,¹⁸⁵

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,

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

¹⁸⁵ Resolution 2625 (XXV), annex.

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

Alarmed at the emergence of new international criminal activities carried out by mercenaries in collusion with drug traffickers,

Recognizing that the activities of mercenaries are contrary to the fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and impede the process of the self-determination of peoples struggling against colonialism, racism and *apartheid* and all forms of foreign domination,

Recalling all of its relevant resolutions, as well as those of the Security Council, the Economic and Social Council and the Organization of African Unity, in which, *inter alia*, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements,

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,

Convinced that it is necessary to develop international co-operation among States for the prevention and prosecution of and punishment for such offences,

Welcoming the adoption of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,¹⁸⁶

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights;¹⁸⁷

2. *Condemns* the 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 African States and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;

3. *Affirms* that the use of mercenaries and their recruitment, financing and training are offences of grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

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

5. *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;

6. *Urges* all States to take the necessary steps and 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 for the planning of 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 or occupation;

7. *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;

8. *Considers* that to use channels of humanitarian and other assistance to finance, train and arm mercenaries is inadmissible;

9. *Urges* all States to take early action to sign, accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, in order to expedite the coming into force of that Convention;

10. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the use of mercenaries.

68th plenary meeting
14 December 1990

45/133. International Year of the Family

The General Assembly,

Guided by the resolve of the peoples of the United Nations to promote social progress and better standards of life in larger freedom, with a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations,

Guided also by the relevant provisions of the Universal Declaration of Human Rights,⁵ the International Covenant on Economic, Social and Cultural Rights³³ and the Declaration on Social Progress and Development,¹² according to which the widest possible protection and assistance should be accorded to the family,

Bearing in mind the Nairobi Forward-looking Strategies for the Advancement of Women¹⁴ and recalling that by its resolution 42/125 of 7 December 1987 it endorsed the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future,¹³ which called for social welfare policies to give greater attention to the family,

Welcoming the entry into force on 2 September 1990 of the Convention on the Rights of the Child⁵² and the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children⁵³ and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,⁵³

Recalling its resolutions 42/134 of 7 December 1987 and 43/135 of 8 December 1988 on the need to enhance international co-operation in the field of the protection

¹⁸⁶ Resolution 44/34, annex.

¹⁸⁷ A/45/488, annex.