

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,²⁷ thirty-seventh,²⁸ thirty-eighth,²⁹ thirty-ninth,³⁰ fortieth,³¹ forty-first,³² forty-second,³³ forty-third,³⁴ forty-fourth,³⁵ forty-fifth,³⁶ forty-sixth³⁷ and forty-seventh³⁸ sessions,

Reaffirming 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, 44/80 of 8 December 1989 and 45/131 of 14 December 1990,

Taking note of the report of the Secretary-General,³⁹

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 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-seventh ses-

sion under the item entitled "Right of peoples to self-determination".

*74th plenary meeting
16 December 1991*

46/89. 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 its resolutions 44/34 of 4 December 1989 on the International Convention against the Recruitment, Use, Financing and Training of Mercenaries and 45/132 of 14 December 1990 on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination,

Reaffirming 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,

Urging strict 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 Cooperation among States in accordance with the Charter of the United Nations,⁴⁰

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,

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

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

Profoundly alarmed at the continued international criminal activities of 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, 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, and recalling also the relevant resolutions of the Security Council and the Economic and Social Council, as well as of the Organization of African Unity,

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 cooperation among States for the prevention, prosecution and punishment of such offences,

Recalling with satisfaction the adoption of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,⁴¹ and welcoming the fulfilment of the provisions of paragraph 2 of Commission on Human Rights resolution 1991/29 of 5 March 1991,³⁸ as reflected in the report of the Special Rapporteur of the Commission,⁴²

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

2. *Condemns* the continued 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. *Reaffirms* 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. *Notes with serious concern* the use by the racist South African regime 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. *Reaffirms* that to use channels of humanitarian and other assistance to finance, train and arm mercenaries is inadmissible;

9. *Calls upon* all States which have not yet done so to consider taking early action to accede to or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

10. *Requests* the Special Rapporteur of the Commission on Human Rights to report to the General Assembly at its forty-seventh session on the use of mercenaries, especially in view of the additional elements highlighted in his report.⁴²

74th plenary meeting
16 December 1991

46/90. Monitoring of international plans and programmes of action in the field of social development

The General Assembly,

Recalling its resolution 42/125 of 7 December 1987, in which it endorsed the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future⁴³ and requested the Secretary-General to take the necessary steps to ensure the implementation of, and follow-up action to, the Guiding Principles,

Reaffirming the continued importance and value of strategies and plans of action in different social policy areas directly related to the Guiding Principles, notably those concerning the status of women, the ageing, youth and disabled persons, as well as crime prevention and drug abuse, based on the Universal Declaration of Human Rights,⁸ the International Covenant on Economic, Social and Cultural Rights,²⁶ the International Covenant on Civil and Political Rights²⁶ and the Declaration on Social Progress and Development,⁴⁴

Recalling its resolution 44/65 of 8 December 1989, in which it decided, *inter alia*, that social issues as conceived in the Guiding Principles should become a major part of the international development strategy for the fourth United Nations development decade,

Stressing the validity of Economic and Social Council resolution 1987/48 of 28 May 1987 on the Interregional Consultation on Developmental Social Welfare Policies and Programmes, in which the Council requested the Secretary-General to redeploy resources to ensure appropriate follow-up action to the Interregional Consultation,

Concerned about the lack of appropriate follow-up action to the comprehensive programme of the Guiding Principles in the regions of Africa, Asia and the Pacific, Latin America and the Caribbean and Western Asia,

1. *Reaffirms* the validity of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future as a major framework for action at the local, national, regional and interregional levels in the field of social welfare and development;

2. *Takes note* of the report of the Secretary-General on major issues and programme activities of the Secretariat and the regional commissions relating to social development and welfare and specific social groups;⁴⁵

3. *Stresses* the interrelationship between economic growth and human welfare as one of the principal themes of the International Development Strategy for the Fourth United Nations Development Decade;⁴⁶

4. *Appeals* to Governments to make use of the Guiding Principles and to apply the recommendations therein, as appropriate and in accordance with their national structures, needs and objectives, to inform the Secretary-General of problems in implementation and to accelerate the follow-up action to the Interregional Consultation on Developmental Social Welfare Policies and Programmes;

5. *Welcomes* the fact that provision was made for the implementation of the Guiding Principles in the medium-term plan for the period 1992-1997⁴⁷ and the programme budget for the biennium 1990-1991,⁴⁸ as requested in its resolution 44/65;

6. *Urges* the Secretary-General and the organizations of the United Nations system concerned to continue to in-