



General Assembly

UN Doc. A/45/L.31

DEC 5 1990

Distr.
LIMITED

A/45/L.31
4 December 1990

ORIGINAL: ENGLISH

Forty-fifth session
Agenda item 34

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Algeria, Cuba, Indonesia, Kuwait, New Zealand, Nicaragua,
Nigeria, Norway, Ukrainian Soviet Socialist Republic and
United Republic of Tanzania: draft resolution

Oil embargo against South Africa

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, 1/ as well as its interim report, which was adopted unanimously on 12 June 1990, 2/

Recalling its resolution 44/244 of 17 September 1990, which reaffirms the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was unanimously adopted by the General Assembly at its sixteenth special session, 3/

Recalling also its resolutions on the oil embargo against South Africa, in particular resolution 44/27 H of 22 November 1989,

Recognizing the importance of the oil embargo and other existing measures imposed by the international community on the apartheid régime towards the elimination of apartheid through negotiations, as well as the importance of

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 43 (A/45/43).

2/ Ibid., Forty-fourth Session, Supplement No. 44 (A/44/44/Add.1).

3/ Resolution S-16/1, annex.

maintaining these measures until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration,

Noting that, while oil-exporting States have committed themselves to an oil embargo against South Africa, very few major shipping States have done so,

Concerned that the oil embargo against South Africa is still being violated and that South Africa, because of loopholes in the embargo, such as lack of effective legislation, has been able to acquire oil and petroleum products,

Convinced that an effective oil embargo against South Africa would contribute to the efforts of the international community to bring about a negotiated settlement and the establishment of a united, non-racial and democratic South Africa,

1. Takes note of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa 1/ and endorses its recommendations;

2. Commends the proposed model law for the effective enforcement of the oil embargo against South Africa annexed to the annual report of the Intergovernmental Group to States for their attention, including consideration of the adoption of the general principles of the draft within the context and framework of their own legal practices;

3. Urges the Security Council to take action under appropriate provisions of the Charter of the United Nations to ensure an effective embargo on the supply and shipping of oil and petroleum products to South Africa in order to effect a speedy and peaceful eradication of apartheid;

4. Requests all States, pending such decisions, to adopt effective measures and/or legislation to broaden the scope of the oil embargo in order to ensure the complete cessation of the supply and shipping of oil and petroleum products to South Africa, whether directly or indirectly, and in particular:

(a) To apply strictly the "end users" clause and other conditions concerning restriction on destination to ensure compliance with the embargo;

(b) To compel the companies originally selling or purchasing oil or petroleum products, as appropriate to each nation, to desist from selling, reselling or otherwise transferring oil and petroleum products to South Africa, whether directly or indirectly;

(c) To establish strict control over the supply of oil and petroleum products to South Africa by intermediaries, oil companies and traders by placing responsibility for the fulfilment of the contract on the first buyer or seller of oil and petroleum products who would, therefore, be liable for the actions of these parties;

(d) To prevent access by South Africa to other sources of energy, including the supply of raw materials, technical know-how, financial assistance and transport;

(e) To prohibit all assistance to apartheid South Africa, including the provision of finance, technology, equipment or personnel for the prospecting, development or production of hydrocarbon resources, the construction or operation of oil-from-coal or oil-from-gas plants or the development and operation of plants producing fuel substitutes and additives such as ethanol and methanol;

(f) To prevent South African corporations from maintaining or expanding their holdings in oil companies or properties outside South Africa;

(g) To terminate the transport of oil and petroleum products to South Africa by ships flying their flags, or by ships that are ultimately owned, managed or chartered by their nationals or by companies within their jurisdiction;

(h) To develop a system for registration of ships, registered or owned by their nationals, that have unloaded oil or petroleum products in South Africa in contravention of embargoes imposed, and to discourage such ships from calling at South African ports;

(i) To impose penal action against companies and individuals that have been involved in violating the oil embargo, and to publicize cases of successful prosecutions in conformity with their national laws;

(j) To gather, exchange and disseminate information regarding violations of the oil embargo, including ways and means to prevent such violations, and to take concerted measures against violators;

(k) To discourage ships capable of carrying oil or petroleum products in their national registries or owned or managed by companies or individuals within their jurisdiction from engaging in activities that give rise to violation of the oil embargo against South Africa, taking into account legislative and other measures already adopted;

5. Authorizes the Intergovernmental Group to take action to promote public awareness of the oil embargo against South Africa, including, when necessary, sending missions and participating in relevant conferences and meetings;

6. Requests the Intergovernmental Group to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution;

7. Requests all States to extend their co-operation to the Intergovernmental Group in the implementation of the present resolution, including submission of proposals for strengthening the mechanism to monitor the supply and shipment of oil and petroleum products to South Africa;

8. Requests the Secretary-General to provide the Intergovernmental Group with all necessary assistance for the implementation of the present resolution.
