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**ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL,
MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST
AND COLONIALIST REGIME OF SOUTH AFRICA**

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa" and to allocate it to the Third Committee.
2. The Committee considered this item jointly with items 91, 98 and 103 at its 4th to 10th, 18th, 28th, 29th and 31st meetings, on 10 to 12, 15, 16 and 24 October and 1, 2 and 5 November 1990. An account of the Committee's general discussion of the item is contained in the relevant summary records (A/C.3/45/SR.4-10).
3. For its consideration of the item, the Committee had before it a note by the Secretary-General transmitting the updated report prepared by Mr. Ahmad M. Khalifa, Special Rapporteur, on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (A/45/552).
4. At the 3rd meeting, on 8 October 1990, the Under-Secretary-General for Human Rights made an introductory statement on the item. At its 6th meeting, the Committee also heard an introduction by the Special Rapporteur on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (see A/C.3/45/SR.3 and SR.6).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/45/L.4

5. At the 18th meeting, on 24 October, the representative of Sierra Leone, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution (A/C.3/45/L.4) entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa".

6. At the same meeting, the representative of Sierra Leone orally revised the draft resolution by inserting the words "the Commission on Human Rights, the Economic and Social Council and the Special Committee Against Apartheid" between the words "Minorities" and "may" in the penultimate line of operative paragraph 12.

7. At its 28th meeting, on 1 November, the Committee adopted the draft resolution as orally revised, by a recorded vote of 106 to 9, with 22 abstentions (see para. 9). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darrusalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

Against: Belgium, France, Germany, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America.

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Japan, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden and Turkey.

8. After the adoption of the draft resolution statements in explanation of vote were made by the representatives of the United States of America, Italy (on behalf of the States members of the European Community), Iceland (also on behalf of Denmark, Finland, Norway and Sweden), Canada, Japan and Turkey (see A/C.3/45/SR.28).

III. RECOMMENDATION OF THE THIRD COMMITTEE

9. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986 and 43/92 of 8 December 1988,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa; 1/

2. Expresses its thanks to all Governments and organizations that supplied the Special Rapporteur with information;

3. Welcomes with satisfaction Commission on Human Rights resolution 1990/22 of 27 February 1990, 2/ in which the Commission invited the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist régime of South Africa, giving such details regarding enterprises listed as he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report, through the Economic and Social Council, to the General Assembly at its forty-fifth session;

(b) To use all available material from other United Nations organs, Member States, specialized agencies and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist régime of South Africa;

1/ A/45/552, previously published as E/CN.4/Sub.2/1990/13 and Add.1.

2/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat, with a view to consolidating mutual co-operation in updating the report;

4. Calls upon all Governments:

(a) To co-operate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and to give its contents the widest possible publicity;

5. Also calls upon all Governments and organizations to maintain sanctions against the racist régime of South Africa until the total dismantlement of the apartheid system has been achieved, in conformity with the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly in its resolution S-16/1 of 14 December 1989;

6. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session and the Commission on Human Rights at its forty-seventh session to consider the updated report;

7. Requests the Secretary-General, in accordance with General Assembly resolution 43/92, to make available to the Special Rapporteur two economists to help him to develop his analysis and documentation on specific cases of special importance;

8. Also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate, with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, and to consolidating mutual co-operation in updating his report,

9. Further requests the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the régime of South Africa, and to call upon them to provide the Special Rapporteur with any information or comments they may wish to present on the matter;

10. Requests the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to undertake a visit to South Africa on special mission within the perspective of the next update of the present report;

11. Invites the Secretary-General to give the updated report of the Special Rapporteur the widest distribution and publicity as a United Nations publication;

12. Decides to examine at its forty-seventh session, as a matter of high priority, the question entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist régime of South Africa", in the light of any recommendations which the

Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against Apartheid may wish to submit to it;

13. Requests that the Special Rapporteur submit his updated report to the General Assembly at its forty-seventh session.
