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45/84. 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;²

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

3. Takes note with satisfaction of Commission on Human Rights resolution 1990/22 of 27 February 1990,³ 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;

(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. 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

² A/45/552, annex.

³ See *Official Records of the Economic and Social Council, 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1)*, chap. II, sect. A.

in Southern Africa, adopted by the General Assembly by its resolution S-16/1 of 14 December 1989 and contained in the annex thereto;

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 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 item 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.

*68th plenary meeting
14 December 1990*

45/85. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 44/135 of 15 December 1989, as well as its other relevant resolutions,

Taking note of Commission on Human Rights resolutions 1990/21 of 23 February 1990 and 1990/25 of 27 February 1990,³ and Economic and Social Council decision 1990/226 of 25 May 1990, by which the Council approved the recommendations of the Task Force on

Computerization for computerizing the human rights treaty system,⁴

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter of the United Nations and to the Universal Declaration of Human Rights,⁵ to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established pursuant to United Nations instruments on human rights is indispensable for the effective implementation of such instruments,

Reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial resources to overcome existing difficulties with the effective functioning of treaty bodies;

(c) Addressing the question of reporting obligations and that of financial implications whenever elaborating any further instruments on human rights,

Recognizing that the effective implementation of instruments on human rights not only enhances international accountability in relation to the promotion and protection of human rights, but also provides States parties with a valuable opportunity to review policies and programmes affecting the promotion and protection of human rights and to make any appropriate adjustments,

Expressing concern about the continuing and increasing backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Bearing in mind the report of the Secretary-General⁶ on progress achieved in enhancing the effective functioning of the treaty bodies, pursuant, *inter alia*, to the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988,⁷

Taking note of the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990,⁸

Bearing in mind the study by the independent expert⁹ on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights,

1. *Endorses* the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and

⁴ See E/CN.4/1990/39, annex.

⁵ Resolution 217 A (III).

⁶ A/44/539.

⁷ See A/44/98, annex.

⁸ See A/45/636, annex.

⁹ See A/44/668, annex.