



Twenty-third session

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND
SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH
PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT
COUNTRIES AND TERRITORIES*

Note by the Secretary-General

1. The General Assembly at its twenty-second session had before it a note by the Secretary-General (A/6829 and Add.1) on the action taken to implement certain paragraphs of resolution 2 (XXIII) of the Commission on Human Rights. It also had before it a report (A/6830 and Add.1-4) on action taken by the Secretary-General and by various organs of the United Nations in compliance with General Assembly resolution 2144 A (XXI) of 26 October 1966; the report contained the replies received from Member States to the Secretary-General's request that they furnish information on the steps taken to implement that resolution.
2. The Assembly also had before it the relevant chapter of the report of the Economic and Social Council.^{1/} Also circulated, as documents of the Third Committee, were two communications addressed to the Secretary-General, one dated 4 December 1967 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations (A/C.3/605) and the other dated 7 December 1967 from the Permanent Mission of Greece to the United Nations (A/C.3/606).
3. On the recommendation of the Third Committee, the General Assembly on 18 December 1967 decided to postpone further consideration of the item to its twenty-third session.^{2/}

* Item 58 of the provisional agenda.

^{1/} Official Records of the General Assembly, Twenty-second Session, Supplement No. 3 (A/6703 and Corr.1), sections I-VI.

^{2/} A/6992, para. 6.

4. The Commission on Human Rights, at its twenty-fourth session, considered the item "Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories".^{3/}
5. On the recommendation of the Commission, the Economic and Social Council adopted, on 31 May 1968, resolution 1332 (XLIV) entitled "Measures for effectively combating racial discrimination, the policies of apartheid and segregation in southern Africa", the text of which appears in annex I to the present document.
6. On the recommendation of the Commission, the Economic and Social Council, adopted, on 31 May 1968, resolution 1333 (XLIV), entitled "Report of the Ad Hoc Working Group of Experts on the treatment of political prisoners in the Republic of South Africa", the text of which appears in annex II.
7. Both of the above-mentioned Council resolutions contain draft resolutions for the consideration of the General Assembly.

^{3/} See Official Records of the Economic and Social Council, Forty-fourth Session, Supplement No. 4 (E/4475), chapter III.

ANNEX I

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL AT
ITS 1530TH PLENARY MEETING, ON 31 MAY 1968

1332 (XLIV). Measures for effectively combating racial discrimination, the policies of apartheid and segregation in southern Africa

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

"The General Assembly,

"Having considered the recommendation of the Economic and Social Council contained in its resolution 1332 (XLIV) of 31 May 1968,

"Recalling its resolution 2144 A (XXI) of 26 October 1966, in which the Assembly invited the Economic and Social Council and the Commission on Human Rights to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they may occur,

"Recalling also its resolution 2145 (XXI) of 27 October 1966, by which the Assembly terminated South Africa's Mandate over South West Africa,

"Taking into account its resolution 2307 (XXII) of 13 December 1967 on the policies of apartheid of the Government of South Africa and resolutions 2324 (XXII) and 2325 (XXII) of 16 December 1967 on the question of South West Africa,

"Taking into account the documents and recommendations of the seminars on apartheid held in Brazil in 1966 and in Zambia in 1967,

"Gravely concerned by the evidence of inhuman practices by the Government of South Africa and by the illegal racist minority régime in Southern Rhodesia against the non-white population of South Africa, South West Africa and Southern Rhodesia,

"Noting that the Government of South Africa and the illegal régime in Southern Rhodesia are finding support for the policy of apartheid and racial discrimination in the fact that a number of States are continuing to trade with them and are maintaining diplomatic, cultural and other ties and relations with them and affording them military assistance,

"Convinced that the flagrant violations of human rights in southern Africa are of serious international concern and require urgent and effective action by the United Nations,

/...

"1. Endorses the recommendations of the Special Rapporteur appointed by the Commission on Human Rights under its resolution 7 (XXIII) a/ that the Government of South Africa be requested to repeal, amend and replace laws cited in paragraph 1547 of the Special Rapporteur's report; b/

"2. Considers it essential that, in order to conform with its obligations under the Charter of the United Nations, the Government of South Africa should undertake to repeal, amend and replace the various discriminatory laws cited in paragraph 1547 of the Special Rapporteur's report;

"3. Calls upon the Government of South Africa to repeal, amend and replace the laws in force in South Africa referred to in paragraph 1 above and to report to the Secretary-General on the measures taken or envisaged in accordance with this paragraph;

"4. Urges all States to encourage information media within their territories to publicize the evils of apartheid and racial discrimination and the inhuman acts practised by the Government of South Africa and the illegal régime in Southern Rhodesia, as well as the aims and purposes of the United Nations and its efforts to eliminate these evils;

"5. Condemns the actions of all those Governments which, in violation of United Nations resolutions, are continuing to maintain diplomatic, commercial, military, cultural and other relations with the Republic of South Africa and the illegal régime in Southern Rhodesia;

"6. Calls upon those Governments to break off such relations;

"7. Requests the Secretary-General to take steps to draw the widest possible public attention to the evils of these policies through the interested non-governmental organizations, trade union, church, student and other organizations, as well as libraries and schools;

"8. Also requests the Secretary-General to keep under constant review the question of promoting co-ordination and co-operation in the activities of the specialized agencies and organs of the United Nations dealing with matters relating to apartheid and racial discrimination in southern Africa;

"9. Further requests the Secretary-General to establish a United Nations information centre in the Republic of South Africa, with a view to disseminating the aims and purposes of the United Nations;

"10. Requests the Secretary-General to report to the General Assembly at its twenty-fourth session on the implementation of the present resolution, and in particular on the actions taken by the Government of South Africa to give effect to paragraph 3 above."

a/ Official Records of the Economic and Social Council, Forty-second Session, Supplement No. 6 (E/4322 and Corr.1), para. 376.

b/ E/CN.4/949/Add.4

ANNEX II

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL AT
ITS 1530TH PLENARY MEETING, ON 31 MAY 1968

1333 (XLIV). Report of the Ad Hoc Working Group of Experts on the treatment of political prisoners in the Republic of South Africa

The Economic and Social Council

Recommends to the General Assembly the adoption of the following resolution:

"The General Assembly,

"Having considered the recommendations of the Economic and Social Council contained in its resolution 1333 (XLIV) of 31 May 1968,

"Recalling its resolution 2144 A (XXI) of 26 October 1966 on the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories, and its resolution 2307 (XXII) of 13 December 1967 on the policies of apartheid of the Government of South Africa,

"Gravely concerned at the evidence in the report^{a/} of the Ad Hoc Working Group of Experts established under resolution 2 (XXIII) of the Commission on Human Rights b/ of the intensification of inhuman practices by the Government of South Africa against the opponents of the policies of apartheid,

"Determined to protect human rights and fundamental freedoms and desirous of an urgent and immediate end to violations of human rights and fundamental freedoms in the Republic of South Africa,

"1. Reaffirms its recognition of the legitimacy of the struggle by the opponents of apartheid to realize their human rights and fundamental freedoms;

"2. Condemns any and every practice of torture, inhuman and degrading treatment of detainees and prisoners in South African prisons and in South African police custody during interrogation and detention, as found in the report of the Ad Hoc Working Group of Experts established under resolution 2 (XXIII) of the Commission on Human Rights;

"3. Calls upon the Government of South Africa to:

a/ E/CN.4/950.

b/ Official Records of the Economic and Social Council, Forty-second Session, Supplement No. 6 (E/4322 and Corr.1), para. 268.

"(a) Initiate investigations into the violations mentioned in the report of the Ad Hoc Working Group of Experts with a view to establishing the degree of responsibility of the persons listed in appendix II to chapter VII of the report, for the purpose of punishing them accordingly;

"(b) Afford the opportunity to all persons who have suffered damage to receive indemnification;

"(c) Abolish the 180-day law and the Terrorism Act, under which opponents of the policy of apartheid are detained without charge or trial, as well as the Suppression of Communism Act, the Sabotage Act and similar laws, and also to refrain from incorporating the principles contained in these laws into other laws;

"(d) Release immediately Mr. Robert Sobukwe;

"(e) Release immediately all other political prisoners and all persons held for their opposition to the policies of apartheid, whether in prisons or in police detention;

"4. Requests the Member States of the United Nations to encourage the giving of the maximum publicity to this report within their territories;

"5. Calls upon the Government of South Africa to report to the Secretary-General on the measures taken or envisaged in accordance with paragraph 3 above;

"6. Requests the Secretary-General:

"(a) To take steps to draw the widest public attention to the report of the Ad Hoc Working Group of Experts;

"(b) To report to the General Assembly at its twenty-fourth session on the implementation of the present resolution."
