

Resolution No.	Title	Item	Date of adoption	Page
46/118	Strengthening of the Centre for Human Rights of the Secretariat (A/46/721)	98	17 December 1991	188
46/119	The protection of persons with mental illness and the improvement of mental health care (A/46/721)	98	17 December 1991	188
46/120	Human rights in the administration of justice (A/46/721)	98	17 December 1991	192
46/121	Human rights and extreme poverty (A/46/721)	98	17 December 1991	193
46/122	United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/46/721)	98	17 December 1991	194
46/123	Right to development (A/46/721)	98	17 December 1991	195
46/124	National institutions for the protection and promotion of human rights (A/46/721) ...	98	17 December 1991	196
46/125	Question of enforced or involuntary disappearances (A/46/721)	98	17 December 1991	196
46/126	Human rights and scientific and technological progress (A/46/721)	98	17 December 1991	197
46/127	Human rights and mass exoduses (A/46/721)	98	17 December 1991	198
46/128	International Year for the World's Indigenous People (A/46/721)	98	17 December 1991	199
46/129	Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity (A/46/721)	98	17 December 1991	201
46/130	Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (A/46/721)	98	17 December 1991	202
46/131	Elimination of all forms of religious intolerance (A/46/721)	98	17 December 1991	203
46/132	Situation in Myanmar (A/46/721)	98	17 December 1991	205
46/133	Situation of human rights and fundamental freedoms in El Salvador (A/46/721)	98	17 December 1991	205
46/134	Situation of human rights in Iraq (A/46/721)	98	17 December 1991	206
46/135	Situation of human rights in Kuwait under Iraqi occupation (A/46/721)	98	17 December 1991	207
46/136	Situation of human rights in Afghanistan (A/46/721)	98	17 December 1991	207
46/137	Enhancing the effectiveness of the principle of periodic and genuine elections (A/46/721/Add.1)	98	17 December 1991	209
46/138	Human rights in Haiti (A/46/721/Add.1)	98	17 December 1991	211
46/139	Social development (A/46/717)	12	17 December 1991	211
46/140	Rationalization of the work of the Third Committee, including the biennial programme of work of the Committee for 1992-1993 (A/46/717/Add.1)	12	17 December 1991	212
46/152	Creation of an effective United Nations crime prevention and criminal justice programme (A/46/704/Add.1)	94 (b)	18 December 1991	217
46/153	United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (A/46/704/Add.1)	94 (b)	18 December 1991	221

46/83. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,² as well as its other relevant resolutions on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination,³

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating once again the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of apartheid in South Africa,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures

in order to secure full implementation of the provisions of the Convention,

Recalling the urgent appeals made by the Secretary-General, the General Assembly, the meetings of States parties to the Convention and the Committee itself to the States parties to honour their financial obligations under the Convention,

Expressing its appreciation for the efforts of the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

Having considered the report of the Secretary-General on the financial situation of the Committee,⁴

1. Expresses its profound concern at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations;

2. Expresses once again its concern that such a situation may lead to a further delay in the discharge of the substantive obligations of the Committee under the Convention;

3. Commends the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. Takes note with appreciation of the report of the Committee on the work of its thirty-ninth and fortieth sessions;⁵

5. *Calls upon* States parties to fulfil their obligations under article 9, paragraph 1, of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention and to pay their outstanding contributions and, if possible, their contributions for 1992 before 1 February 1992, so as to enable the Committee to meet regularly;

6. *Strongly appeals* to all States parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention;

7. *Invites* the Secretary-General to continue to explore the possibilities for establishing a more secure basis for the future financing of all the costs of the Committee, taking into account the views and proposals of States parties, submitted in accordance with paragraph 7 of General Assembly resolution 45/88 of 14 December 1990;

8. *Calls upon* the States parties, as a matter of priority, to consider all possibilities for establishing a more secure basis for the future financing of all the costs of the Committee;

9. *Notes* that the Secretary-General has proposed in his report that the States parties at their next meeting should consider the question of the establishment of a "contingency reserve fund";⁶

10. *Requests* the Secretary-General to invite those States parties that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its forty-seventh session;

11. *Decides* to consider at its forty-seventh session, under the item entitled "Elimination of racism and racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the report of the Committee.

74th plenary meeting
16 December 1991

46/84. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The General Assembly,

Recalling its resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987, 43/97 of 8 December 1988, 44/69 of 8 December 1989 and 45/90 of 14 December 1990,

Mindful that the International Convention on the Suppression and Punishment of the Crime of Apartheid⁷ constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights,⁸

Reaffirming its conviction that apartheid is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of human rights, seriously threatening international peace and security,

Condemning the abhorrent policy and system of apartheid and the repression it engenders, which continue to aggravate the situation in South Africa,

Emphasizing that the root cause of the conflict in southern Africa is apartheid and the racist regime's policy of destabilization against the front-line and other neighbouring States,

Deeply concerned at the continued collaboration of certain States and transnational corporations with the racist regime of South Africa, particularly in the political, economic, military and other fields, as an encouragement of its odious policy of apartheid,

Convinced that universal ratification of or accession to the Convention and the immediate implementation of its provisions will contribute to the eradication of the crime of apartheid,

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid;⁹

2. *Commends* those States parties to the Convention that have submitted their reports under article VII thereof;

3. *Calls upon* all States whose transnational corporations continue to do business with South Africa to take appropriate steps to terminate their dealings with South Africa;

4. *Requests* the Commission on Human Rights to intensify, in cooperation with the Special Committee against Apartheid, its efforts to compile and update periodically the list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom or which legal proceedings have been undertaken;

5. *Requests* the Secretary-General to circulate that list among all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;

6. *Also requests* the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

7. *Appeals* to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist regime with a view to promoting further ratification of or accession to the Convention;

8. *Underlines* the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

9. *Appeals once again* to those States that have not yet done so to ratify or to accede to the Convention without further delay;

10. *Requests* the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

11. *Also requests* the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

74th plenary meeting
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