

Taking note of activities carried out in 1987 under the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989, in accordance with the report of the Secretary-General,⁶⁶ as approved in General Assembly resolution 38/59 A, and the report of the Secretary-General,⁶⁷

Recalling its approval of the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations,

Taking special note of the report of the Secretary-General prepared in pursuance of paragraph 13 of General Assembly resolution 41/34,⁶⁷

1. *Recalls* the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;

2. *Expresses its satisfaction* at the increasing and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and fifty-nine signatures and thirty-five of the sixty ratifications or accessions required for entry into force of the Convention;

3. *Calls upon* all States that have not done so to consider ratifying or acceding to the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

4. *Calls upon* all States to safeguard the unified character of the Convention and related resolutions adopted therewith;

5. *Also calls upon* States to observe the provisions of the Convention when enacting their national legislation;

6. *Further calls upon* States to desist from taking actions which undermine the Convention or defeat its object and purpose;

7. *Notes* the progress being made by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. *Expresses its satisfaction* at the successful resolution of conflicts of overlaps that had arisen in the claims of applicants for registration as pioneer investors and with those of certain potential applicants under resolution II of the Third United Nations Conference on the Law of the Sea;

9. *Further expresses its satisfaction* at the historic decision of the Preparatory Commission of 17 August 1987 to register the first pioneer investor, namely India, and at the decision of the Preparatory Commission to convene its General Committee from 7 to 18 December 1987 for the purpose of considering the applications of France, Japan and the Union of Soviet Socialist Republics for registration as pioneer investors;

10. *Expresses its appreciation* to the Secretary-General for his efforts in support of the Convention and for the effective execution of the major programme on marine affairs set forth in chapter 25 of the medium-term plan for the period 1984-1989;

11. *Further expresses its appreciation* for the report of the Secretary-General prepared in pursuance of General Assembly resolution 41/34 and requests him to continue to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal régime of the sea, special emphasis being placed on the work of the Prepara-

tory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

12. *Calls upon* the Secretary-General to continue to assist States in the implementation of the Convention and in the development of a consistent and uniform approach to the legal régime thereunder, as well as in their national, subregional and regional efforts towards the full realization of the benefits therefrom and invites the organs and organizations of the United Nations system to co-operate and lend assistance in these endeavours;

13. *Approves* the decision of the Preparatory Commission to hold its sixth regular session at Kingston from 14 March to 8 April 1988 and notes that the Preparatory Commission will decide upon the summer meeting for 1988 during its next session;⁶⁵

14. *Requests* the Secretary-General to report to the General Assembly at its forty-third session on developments pertaining to the Convention and all related activities and on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Law of the sea".

73rd plenary meeting
18 November 1987

42/21. Application of the Republic of Nauru to become a party to the Statute of the International Court of Justice

Whereas the Government of Nauru, by a communication⁶⁸ dated 21 August 1987 addressed to the Secretary-General, has expressed the desire to learn the conditions on which Nauru could become a party to the Statute of the International Court of Justice,

Whereas Article 93, paragraph 2, of the Charter of the United Nations provides that a State which is not a Member of the United Nations may become a party to the Statute of the Court on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council,

Whereas the Security Council has adopted a recommendation on this matter,⁶⁹

The General Assembly

Determines, in pursuance of Article 93, paragraph 2, of the Charter and upon the recommendation of the Security Council, the conditions on which Nauru may become a party to the Statute of the International Court of Justice, as follows:

"The Republic of Nauru will become a party to the Statute on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of the Republic of Nauru and ratified as may be required by the constitutional law of the Republic of Nauru, containing:

"(a) Acceptance of the provisions of the Statute of the International Court of Justice;

"(b) Acceptance of all the obligations of a Member of the United Nations under Article 94 of the Charter;

"(c) An undertaking to contribute to the expenses of the Court such equitable amount as the General Assem-

⁶⁶ A/38/570 and Corr.1 and Add.1 and Add.1/Corr.1.

⁶⁷ A/42/688.

⁶⁸ See *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987*, document S/19137.

⁶⁹ See *Official Records of the General Assembly, Forty-second Session, Annexes*, agenda item 144, document A/42/242.

bly shall assess from time to time after consultation with the Government of Nauru.”

*73rd plenary meeting
18 November 1987*

42/23. Policies of *apartheid* of the Government of South Africa⁷⁰

A

INTERNATIONAL SOLIDARITY WITH THE LIBERATION STRUGGLE IN SOUTH AFRICA

The General Assembly,

Recalling its resolution 41/35 A of 10 November 1986,

Having considered the report of the Special Committee against *Apartheid*,⁷¹ in particular paragraphs 137 to 139 and 148,

Gravely concerned at the escalating repression of and State terror against opponents of *apartheid* and the increasing intransigence of the racist régime of South Africa, demonstrated by the extension of the state of emergency, the vast number of arbitrary detentions, trials, torture and killing, including of women and children, the increased use of vigilante groups and the muzzling of the press,

Outraged by the racist régime's escalation of acts of aggression and destabilization against neighbouring independent African States, including assassinations and abductions of South Africans in those States, and the continuing illegal occupation of Namibia,

1. *Reaffirms* its full support to the people of South Africa in their struggle, under the leadership of their national liberation movements, to eradicate *apartheid* totally, so that they can exercise their right to self-determination in a free, democratic, unfragmented and non-racial South Africa;

2. *Reaffirms further* the legitimacy of the struggle of the people of South Africa and their right to choose the necessary means, including armed resistance, to attain the eradication of *apartheid*;

3. *Condemns* the policy and practice of *apartheid* and, in particular, the execution of patriots and captured freedom fighters in South Africa and demands that the racist régime:

(a) Stay the execution of those now on death row;

(b) Abide by the Geneva Conventions of 12 August 1949⁴⁴ and Additional Protocol I of 1977 thereto;⁴³

4. *Demands again* that the racist régime end repression against the oppressed people of South Africa; lift the state of emergency; release unconditionally Nelson Mandela, Zephania Mothopeng, all other political prisoners, trade union leaders, detainees and restrictees and, in particular, detained children; lift the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political parties and organizations; allow free political association and activity of the South African people and the return of all political exiles; put an end to the policy of bantustanization and forced population removals; eliminate *apartheid* laws and end military and paramilitary activities aimed at the neighbouring States;

5. *Considers* that the implementation of the above demands would create the appropriate conditions for free consultations among all the people of South Africa with a view to negotiating a just and lasting solution to the conflict in that country;

6. *Appeals* to all States, intergovernmental and non-governmental organizations, mass media, and city and other local authorities as well as individuals to increase urgently political, economic, educational, legal, humanitarian and all other forms of necessary assistance to the people of South Africa and their national liberation movements;

7. *Also appeals* to all States and intergovernmental and non-governmental organizations to step up material, financial and other forms of support to the front-line and other member States of the Southern African Development Co-ordination Conference and thus assist them in resisting the aggression, terrorism, destabilization, political subversion and economic blackmail perpetrated by the racist régime;

8. *Urges* all States to contribute generously to the Action for Resisting Invasion, Colonialism and *Apartheid* Fund set up by the Eighth Conference of Heads of State or Government of Non-Aligned Countries with the aim of increasing support to the liberation movements fighting the *apartheid* régime and to the front-line States;

9. *Decides* to continue the authorization of adequate financial provision in the regular budget of the United Nations to enable the South African liberation movements recognized by the Organization of African Unity—namely, the African National Congress of South Africa and the Pan Africanist Congress of Azania—to maintain offices in New York in order to participate effectively in the deliberations of the Special Committee against *Apartheid* and other appropriate bodies;

10. *Requests* Governments and intergovernmental and non-governmental organizations to exert their influence towards the implementation of this resolution.

*77th plenary meeting
20 November 1987*

B

APPLICATION OF CO-ORDINATED AND STRICTLY MONITORED MEASURES AGAINST SOUTH AFRICA

The General Assembly,

Recalling and reaffirming its resolutions on sanctions against South Africa,

Taking note of the report of the Special Committee against *Apartheid*,⁷¹ in particular paragraphs 10 and 11 and 141 to 149,

Considering that measures taken by States individually and collectively, while commendable, vary in coverage and degree of enforcement, which allows the racist régime to exploit existing gaps,

Commending the action taken by labour unions, women's organizations, student groups and other anti-*apartheid* organizations for the total isolation of the *apartheid* régime,

1. *Urges* all States that have not yet done so, pending the imposition of comprehensive and mandatory sanctions, to adopt legislative and/or comparable measures so as to impose effective sanctions against South Africa and, in particular:

⁷⁰ See also sect. I, footnote 8, and sect. X.B.3, decision 42/409.

⁷¹ *Official Records of the General Assembly, Forty-second Session, Supplement No. 22 (A/42/22).*