

44/27. Policies of apartheid of the Government of South Africa⁸⁵

A

INTERNATIONAL SOLIDARITY WITH THE LIBERATION STRUGGLE IN SOUTH AFRICA

The General Assembly,

Having considered the report of the Special Committee against Apartheid,⁸⁶

Gravely concerned at the continuing repression of the majority population in South Africa and the continuation of the state of emergency,

Expressing particular concern at the continuing practice of arbitrary detentions and trials, including those of women and children, executions of political prisoners, the ongoing use of vigilante groups and the stifling of the press,

Noting with serious concern the régime's acts of aggression and destabilization against neighbouring independent African States,

1. *Reaffirms* the legitimacy of the struggle of the South African people for the total eradication of apartheid and for the establishment of a united, non-racial and democratic society in which all the people of South Africa, irrespective of race, colour or creed, enjoy the same fundamental freedoms and human rights;

2. *Reaffirms also* its full support to the national liberation movements, the African National Congress of South Africa and the Pan Africanist Congress of Azania, which pursue their noble objective to eliminate apartheid through political, armed and other forms of struggle and have reiterated their preference for reaching their legitimate objectives through peaceful means;

3. *Condemns* the régime's continuing practice of sentencing to death and executing its opponents and demands that it annul the capital punishment imposed on opponents of apartheid, including the "Uppington Fourteen", and confer prisoner-of-war status on captured freedom fighters in accordance with the Geneva Conventions of 12 August 1949⁸⁷ and Additional Protocol I of 1977 thereto;⁸⁸

4. *Demands* that all political prisoners and detainees, particularly children, be released unconditionally and without subsequent restrictions and that the abhorrent practice of applying repressive measures to children and minors cease immediately;

5. *Calls upon* Governments, intergovernmental and non-governmental organizations and individuals to extend all possible assistance to the struggling people of South Africa, their national liberation movements and South African refugees, particularly women and children;

6. *Also calls upon* all Governments, intergovernmental and non-governmental organizations to step up material, financial and other forms of support to the front-line and other neighbouring independent States that are subject to acts of destabilization by South Africa;

7. *Appeals* to all Governments, intergovernmental and non-governmental organizations 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, held at Harare from 1 to 6 September 1986;

8. *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.

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B

INTERNATIONAL SUPPORT FOR THE ERADICATION OF APARTHEID IN SOUTH AFRICA THROUGH GENUINE NEGOTIATIONS

The General Assembly,

Condemning once again the policy and practice of apartheid,

Convinced that the continuation of the policy and practice of apartheid will lead to further violence and is detrimental to the vital interests of all the people of South Africa,

Convinced that the system of apartheid cannot be reformed but must be eliminated,

Taking note of the Declaration of the Ad Hoc Committee of the Organization of African Unity on Southern Africa on the question of South Africa, adopted at Harare on 21 August 1989,⁸⁹

1. *Reaffirms* its support for the establishment of a united, non-racial and democratic society in which all the people of South Africa, irrespective of race, colour or creed, will enjoy the same fundamental freedoms and human rights;

2. *Fully supports* the efforts of the South African people to arrive at a peaceful settlement of the conflict in their country through genuine negotiations;

3. *Strongly demands:*

(a) The lifting of the state of emergency;

(b) The immediate and unconditional release of Nelson Mandela and all other political prisoners and detainees;

(c) The lifting of the ban on all individuals and political organizations opposing apartheid and the repeal of restrictions on the press;

(d) The withdrawal of the troops from black townships;

(e) The cessation of all political trials and political executions;

4. *Considers* that the implementation of the above demands would help create the necessary climate for genuine negotiations and calls upon all parties to take full advantage of opportunities arising therefrom, and further considers that this could also promote an agreement to end apartheid and bring about the cessation of violence;

5. *Calls upon* all Member States to use concerted and effective measures to ensure the prompt implementation of the present resolution;

⁸⁵ See also sect. I, note 7, and sect. X.B.3, decision 44/407.

⁸⁶ *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 22 (A/44/22)*

⁸⁷ United Nations, *Treaty Series*, vol. 75, Nos. 970-973

⁸⁸ *Ibid.*, vol. 1125, No. 17512

⁸⁹ A/44.697, annex

6. *Requests* the Secretary-General to continue to promote efforts leading to the eradication of *apartheid* through genuine negotiations.

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C

COMPREHENSIVE AND MANDATORY SANCTIONS AGAINST
THE RACIST RÉGIME OF SOUTH AFRICA

The General Assembly,

Recalling its earlier resolutions and those of the Security Council calling for concerted international action to force the racist régime of South Africa to eradicate *apartheid*,

Having considered the report of the Special Committee against *Apartheid*,⁹⁰ in particular paragraphs 255 to 275, and the report of the Commission against *Apartheid* in Sports,⁹¹

Gravely concerned that, in spite of recent developments in South Africa, the system of *apartheid* remains intact and the régime maintains its repressive domestic practices, its policies of destabilization against neighbouring independent States and its intransigence towards the will of the international community for the prompt elimination of *apartheid*,

Noting with grave concern that sanctions and other measures recommended by the General Assembly, as well as measures introduced unilaterally by a number of States, lack comprehensiveness, co-ordination and adequate monitoring mechanisms,

Gravely concerned that some Member States and transnational corporations have continued economic relations with South Africa, while others continue to exploit opportunities created by sanctions imposed by other States, thus substantially increasing their trade with that country, as indicated in paragraphs 109, 110, 112 and 265 of the report of the Special Committee against *Apartheid*,⁹⁰

Convinced that the imposition of comprehensive and mandatory sanctions by the Security Council under Chapter VII of the Charter of the United Nations remains the most appropriate and effective means to bring about a peaceful end to *apartheid*,

1. *Reaffirms* that *apartheid* is a crime against humanity and a threat to international peace and security and that it is a primary responsibility of the United Nations to assist in efforts to eliminate *apartheid* peacefully without further delay;

2. *Calls upon* those States that have increased their trade with South Africa and, particularly, the Federal Republic of Germany, which recently emerged as the leading trading partner of South Africa, to sever trade relations with South Africa;

3. *Calls upon* those Governments that are still opposed to the application of comprehensive and mandatory sanctions to reassess their policies and cease their opposition to the application of such sanctions by the Security Council;

4. *Urges* the Security Council to consider immediate action under Chapter VII of the Charter of the United Nations with a view to applying comprehensive and mandatory sanctions against the racist régime of South Africa as

long as it continues to disregard the demands of the majority of the people of South Africa and of the international community to eradicate *apartheid*.

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D

IMPOSITION, CO-ORDINATION AND STRICT MONITORING OF
MEASURES AGAINST RACIST SOUTH AFRICA

The General Assembly,

Recalling its resolutions on sanctions against South Africa, in particular resolution 43/50 D of 5 December 1988.

Taking note of the report of the Special Committee against *Apartheid*⁸⁶ and of the report of the Secretary-General on restrictive measures affecting externally dependent areas of the South African economy,⁹²

Taking note with appreciation of the recommendations made in the report of the Panel of Eminent Persons that held public hearings, at Geneva from 4 to 6 September 1989, on the activities of transnational corporations in South Africa and Namibia,⁹³

Convinced that sanctions and other restrictive measures have had a significant impact on recent developments in South Africa and remain a most effective and necessary instrument of pressure in contributing to a political solution to the crisis in that country,

Considering that measures taken by States individually or collectively, while commendable, vary in coverage and degree of enforcement and monitoring and are not always addressed to those areas of the South African economy which are vulnerable to international pressure,

Concerned at the increasing number of States that exploit the trade gaps created by the uneven and uncoordinated imposition of restrictive measures,

Noting with concern that a number of transnational corporations, including banks, continue to provide support to the *apartheid* economy by maintaining financial and technological and other ties with South Africa,

Commending those States which have already adopted strict measures against the *apartheid* régime in accordance with United Nations resolutions, as well as non-governmental organizations and individuals, for their contribution to the 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 to impose effective sanctions against South Africa and, in particular:

(a) To impose embargoes on the supply of all products, in particular computer and communications equipment, technologies, skills and services, including military intelligence, that can be used for the military and nuclear industry of South Africa;

(b) To impose embargoes on the supply of oil and petroleum products and oil technology;

(c) To prohibit the import of coal, gold, other minerals and agricultural products from South Africa;

⁹⁰ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 22 (A/44/22), part one.

⁹¹ *Ibid.*, Supplement No. 47 (A/44/47)

⁹² A/44/555 and Corr.1

⁹³ A/44/576-S/20867, annex, sect. V; see Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989, document S/20867

(d) To induce transnational corporations, banks and financial institutions to withdraw effectively from South Africa by ceasing equity investment and cutting off non-equity links, particularly those involving transfer of high technology and know-how;

(e) To induce banks to cease the provision of new credits and loans;

(f) To consider ending promptly double taxation agreements with South Africa and any form of tax relief in respect of income from investments in that country;

(g) To restrict landing and port rights to South African air and sea carriers and to sever direct air, sea and other transport links with South Africa;

(h) To ensure, through appropriate measures, that their citizens refrain from serving in South Africa's armed forces and other sensitive sectors;

(i) To take appropriate measures to ensure the effectiveness of the sports and cultural boycott of *apartheid* South Africa;

2. *Also urges* all States to monitor strictly the implementation of the above measures and adopt, when necessary, legislation providing for penalties on individuals and enterprises violating those measures;

3. *Calls upon* Governments, intergovernmental organizations, the specialized agencies of the United Nations, non-governmental organizations and the public at large to take full account of the recommendations of the Panel of Eminent Persons that held public hearings on the activities of transnational corporations in South Africa and Namibia;⁹³

4. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on measures to monitor sanctions undertaken by the United Nations system, governments and non-governmental agencies, taking fully into account reports of existing intergovernmental monitoring mechanisms.

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E

INTERNATIONAL FINANCIAL PRESSURE ON THE *APARTHEID* ECONOMY OF SOUTH AFRICA

The General Assembly,

Noting that the maintenance of the *apartheid* economy and the expansion of military and police expenditures substantially depend on the supply of further credits and loans by the international financial community,

Deeply regretting that the participating banks in the Third Interim Agreement with the *apartheid* régime, in spite of demands by the international community, have recently announced the rescheduling of South Africa's external debt, which was due for repayment in 1990,

Considering that the rescheduling of South Africa's external debt at this particular time represents an attempt to undermine the efforts of the international community to promote a peaceful resolution of the conflict in that country,

Taking note of the Kuala Lumpur Statement on Southern Africa adopted by the Commonwealth Heads of Government Meeting on 21 October 1989,⁹⁴

1. *Deplores* the Third Interim Agreement, particularly its terms and timing, which, by providing for the rescheduling over a period of three and a half years of a significant part of South Africa's debt, lessens the financial pressure on the *apartheid* régime;

2. *Strongly urges* Governments and private financial institutions to deny new bank loans to South Africa, whether to the public or private sectors;

3. *Calls upon* those States which continue to maintain trade and financial links with South Africa to restrict the provision of trade credits and cease loan insurance, in particular:

(a) By calling upon all the relevant banks and financial institutions to impose stricter conditions on day-to-day trade financing, specifically through reducing the maximum credit terms to 90 days;

(b) By taking South Africa "off cover" with official government agencies for official trade credit and insurance purposes, thus making its acquisition of trade credits more difficult;

4. *Calls upon* all Governments, intergovernmental and non-governmental organizations to use all appropriate means to induce banks and other financial institutions to give effect to the measures outlined above;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

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F

RELATIONS BETWEEN SOUTH AFRICA AND ISRAEL

The General Assembly,

Recalling all its previous resolutions concerning the relations between South Africa and Israel and, in particular, its resolution 43/50 E of 5 December 1988,

Having considered the report of the Special Committee against *Apartheid* on recent developments concerning relations between South Africa and Israel,⁹⁵

Noting with concern that the military relations between South Africa and Israel, especially in the area of military technology and, in particular, the collaboration in the recent production and testing of nuclear missiles, continue unabated.

Taking note of the relevant provision of the final document on southern Africa adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,⁷⁶

1. *Condemns* the collaboration of Israel with the racist minority régime of South Africa in the military and nuclear fields;

2. *Reiterates its demand* that Israel desist from and terminate forthwith all forms of collaboration with South Africa, particularly in the military and nuclear fields;

3. *Requests* the Special Committee against *Apartheid* to continue to monitor the relations between South Africa and Israel and keep them under constant review and re-

⁹⁴ A/44/672-S/20914, annex, see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989*, document S/20914.

⁹⁵ *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 22 (A/44/22)*, part two.

port to the General Assembly and the Security Council as appropriate.

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G

PROGRAMME OF WORK OF THE SPECIAL COMMITTEE
AGAINST APARTHEID

The General Assembly,

Having considered the report of the Special Committee against Apartheid,⁸⁶

1. *Commends* the Special Committee against Apartheid for its work in the discharge of its responsibilities in promoting international action against apartheid;

2. *Takes note* of the report of the Special Committee and endorses the recommendations contained in paragraph 275 of the report relating to its programme of work;

3. *Authorizes* the Special Committee, in accordance with its mandate and acting as a focal point for the international campaign against apartheid and with the support services of the Centre against Apartheid of the Secretariat, to continue:

(a) To monitor closely the situation in South Africa and the actions of the international community regarding the imposition and implementation of sanctions and other restrictive measures and their impact on apartheid South Africa;

(b) To mobilize international action against apartheid, *inter alia*, through collection, analysis and dissemination of information, through liaison with non-governmental organizations and relevant individuals and groups able to influence public opinion and decision-making, and through hearings, conferences, consultations, missions, publicity and other relevant activities;

4. *Appeals* to all Governments, intergovernmental and non-governmental organizations to increase their co-operation with the Special Committee in the discharge of its mandate;

5. *Requests* all United Nations bodies, organs and agencies to co-operate with the Special Committee and the Centre against Apartheid in their activities in order to ensure consistency and improve co-ordination and the greatest use of available resources in the implementation of the relevant resolutions of the General Assembly and the Security Council;

6. *Requests* Governments and organizations to provide financial and other assistance for the special projects of the Special Committee and to make generous contributions to the Trust Fund for Publicity against Apartheid;

7. *Appeals* to all Governments, intergovernmental organizations, information media, non-governmental organizations and individuals to co-operate with the Centre against Apartheid and the Department of Public Information of the Secretariat in their activities relating to apartheid and, in particular, in disseminating information on the situation in South Africa in order to mitigate the effects of the restraints on the press in South Africa and to counteract South African propaganda effectively;

8. *Decides* to make a special allocation of 430,000 United States dollars to the Special Committee for 1990 from the regular budget of the United Nations to cover the

cost of special projects to be decided upon by the Committee.

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H

OIL EMBARGO AGAINST SOUTH AFRICA

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa,⁹⁶

Recalling its resolutions on an oil embargo against South Africa, in particular resolution 43/50 J of 5 December 1988,

Noting that, while oil-exporting States have committed themselves to an oil embargo against South Africa, very few major shipping States have done so,

Concerned that the racist régime of South Africa has been able to circumvent the oil embargoes and comparable measures adopted by States,

Commending action taken by labour unions, student groups and anti-apartheid organizations against companies involved in the violation of the oil embargo against South Africa, and for the enforcement of the embargo,

Convinced that an effective oil embargo against South Africa would complement the arms embargo against the apartheid régime and serve to curtail both its acts of aggression against the front-line States and its repression of the people of South Africa,

1. *Takes note* of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa;⁹⁶

2. *Notes* the intention of the Intergovernmental Group to submit an interim report to the General Assembly at its forty-fourth session, in keeping with paragraph 44 of the Group's report;

3. *Takes note also* of the report of the Panel on the Hearings on the Oil Embargo against South Africa held in New York on 12 and 13 April 1989;⁹⁷

4. *Urges* the Security Council to take action without further delay to impose a mandatory embargo on the supply and shipping of oil and petroleum products to South Africa as well as on the supply of equipment and technology to, financing of and investment in its oil industry and coal liquefaction projects;

5. *Requests* all States concerned, pending a decision by the Security Council, to adopt effective measures and/or legislation to broaden the scope of the oil embargo in order to ensure the complete cessation of the supply and shipping of oil and petroleum products to South Africa, whether directly or indirectly, and in particular:

(a) To apply strictly the "end users" clause and other conditions concerning restriction on destination to ensure compliance with the embargo;

(b) To compel the companies originally selling or purchasing oil or petroleum products, as appropriate to each nation, to desist from selling, reselling or otherwise transferring oil and petroleum products to South Africa, whether directly or indirectly;

⁹⁶ *Ibid.*, Supplement No. 44 (A. 44/4.4)

⁹⁷ A. 44/279.S. 20634 Annex

(c) To establish strict control over the supply of oil and petroleum products to South Africa by intermediaries, oil companies and traders by placing responsibility for the fulfilment of the contract on the first buyer or seller of oil and petroleum products who would, therefore, be liable for the actions of these parties.

(d) To prevent access by South Africa to other sources of energy, including the supply of raw materials, technical know-how, financial assistance and transport;

(e) To prohibit all assistance to *apartheid* South Africa, including the provision of finance, technology, equipment or personnel for the prospecting, development or production of hydrocarbon resources, the construction or operation of oil-from-coal or oil-from-gas plants or the development and operation of plants producing fuel substitutes and additives such as ethanol and methanol;

(f) To prevent South African corporations from maintaining or expanding their holdings in oil companies or properties outside South Africa;

(g) To terminate the transport of oil and petroleum products to South Africa by ships flying their flags, or by ships that are ultimately owned, managed or chartered by their nationals or by companies within their jurisdiction;

(h) To develop a system for registration of ships, registered or owned by their nationals, that have unloaded oil or petroleum products in South Africa in contravention of embargoes imposed, and to discourage such ships from calling at South African ports;

(i) To impose penal action against companies and individuals that have been involved in violating the oil embargo, and to publicize cases of successful prosecutions in conformity with their national laws;

(j) To gather, exchange and disseminate information regarding violations of the oil embargo, including ways and means to prevent such violations, and to take concerted measures against violators;

6. *Authorizes* the Intergovernmental Group to take action to promote public awareness of the oil embargo against South Africa, including, when necessary, sending missions and participating in relevant conferences and meetings;

7. *Requests* the Intergovernmental Group to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution, including proposals for strengthening the mechanism to monitor the supply and shipment of oil and petroleum products to South Africa;

8. *Requests* all States to extend their co-operation to the Intergovernmental Group in the implementation of the present resolution, including submission of proposals for strengthening the mechanism to monitor the supply and shipment of oil and petroleum products to South Africa;

9. *Requests* the Secretary-General to provide the Intergovernmental Group with all necessary assistance for the implementation of the present resolution

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I

MILITARY COLLABORATION WITH SOUTH AFRICA

The General Assembly,

Recalling its resolutions and those of the Security Council on the arms embargo, as well as other resolutions on collaboration with South Africa,

Taking note of the report of the Special Committee against *Apartheid*,⁸⁶

Reiterating that the full implementation of an arms embargo against South Africa is an essential element of international action against *apartheid*,

Taking note of the statement adopted on 18 December 1987 by the Security Council Committee established by Council resolution 421 (1977), of 9 December 1977, concerning the question of South Africa, which "noted with alarm and great concern that large quantities of arms and military equipment, including highly sophisticated *matériel*, were still reaching South Africa directly or via clandestine routes",⁹⁸

Expressing serious concern at the increasing number of violations of the mandatory arms embargo against South Africa,

Regretting that some countries surreptitiously continue to deal in arms with South Africa and allow South Africa to participate in international arms exhibitions,

1. *Strongly deplores* the actions of those States and organizations which directly or indirectly continue to violate the arms embargo and collaborate with South Africa in the military, nuclear, intelligence and technology fields and, in particular, Israel, for providing nuclear technology and two corporations based in the Federal Republic of Germany, for supplying blueprints for the manufacture of submarines and other related military *matériel*; and calls upon Israel to terminate forthwith such hostile acts and upon the Government of the Federal Republic of Germany to honour its obligations under Security Council resolution 421 (1977) by prosecuting the said corporations;

2. *Deplores* the actions of Chile, which has become an important outlet for the sale of South Africa's military hardware and strongly urges it to refrain forthwith from such acts.

3. *Urges* the Security Council to consider immediate steps to ensure the scrupulous and full implementation of the arms embargo imposed by the Council in resolutions 418 (1977) of 4 November 1977 and 558 (1984) of 13 December 1984 and its effective monitoring;

4. *Requests* the Special Committee against *Apartheid* to keep the matter under constant review and to report thereon to the General Assembly and the Security Council as appropriate.

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J

UNITED NATIONS TRUST FUND FOR SOUTH AFRICA

The General Assembly,

Recalling its earlier resolutions on the United Nations

⁸⁶ See S/19396, annex; see *Official Records of the Security Council, Forty-second Year, Supplement for October, November and December 1987*, document S/19396.

Trust Fund for South Africa, in particular resolution 43/50 I of 5 December 1988,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa,⁹⁹ to which is annexed the report of the Committee of Trustees of the Trust Fund,

Gravely concerned at the continued nation-wide state of emergency and security regulations which criminalize political dissent and protest,

Alarmed by the continued detentions without trials, forced removals, bannings, restriction orders, political trials, death sentences imposed on opponents of *apartheid* and harassment of trade unions, church and other organizations and individuals involved in peaceful protest and dissent,

Reaffirming that increased humanitarian and legal assistance by the international community to those persecuted under repressive and discriminatory legislation in South Africa is more than ever necessary to alleviate their plight and sustain their efforts,

Strongly convinced that increased contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the extensive needs for humanitarian and legal assistance,

1. *Endorses* the report of the Secretary-General on the United Nations Trust Fund for South Africa;

2. *Expresses its appreciation* to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of *apartheid* and racial discrimination;

3. *Appeals* for generous and increased contributions to the Trust Fund;

4. *Also appeals* for direct contributions to the voluntary agencies engaged in rendering assistance to the victims of *apartheid* and racial discrimination in South Africa;

5. *Commends* the Secretary-General and the Committee of Trustees of the Trust Fund for their persistent efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia, as well as assistance to their families and to refugees from South Africa.

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K

CONCERTED INTERNATIONAL ACTION FOR THE ELIMINATION OF APARTHEID

The General Assembly,

Alarmed by the critical situation in South Africa caused by the policy of *apartheid* and in particular by the extension of the nation-wide state of emergency,

Convinced that the root-cause of the crisis in southern Africa is the policy of *apartheid*,

Noting with grave concern that in order to perpetuate *apartheid* in South Africa the authorities there have committed acts of aggression and breaches of the peace.

Recognizing that the policy of bantustanization deprives the majority of the people of their citizenship and makes them foreigners in their own country,

Noting that the so-called reforms in South Africa have had the effect of further entrenching the *apartheid* system and further dividing the people of South Africa,

Convinced that only the total eradication of *apartheid* and the establishment of majority rule on the basis of the free and fair exercise of universal adult suffrage can lead to a peaceful and lasting solution in South Africa,

Also convinced that broad-based negotiations involving the genuine representatives of South Africa's majority population should be initiated immediately by the South African authorities with a view to establishing a free, democratic, united and non-racial South Africa,

Recognizing the responsibility of the United Nations and the international community to take all necessary action for the eradication of *apartheid*, and, in particular, the need for effective pressure on the South African authorities as a peaceful means of achieving the abolition of *apartheid*,

Encouraged, in this context, by the growing international consensus, as demonstrated by the adoption of Security Council resolution 569 (1985) of 26 July 1985, and the increase in and expansion of national, regional and intergovernmental measures to this end,

Considering sanctions to be the most effective peaceful means available to the international community to increase pressure on the South African authorities,

Convinced of the vital importance of the strict observance of Security Council resolution 418 (1977) of 4 November 1977, by which the Council instituted a mandatory arms embargo against South Africa, and Council resolution 558 (1984) of 13 December 1984 concerning the import of arms, ammunition and military vehicles produced in South Africa, and of the need to make these embargoes fully effective in conformity with Council resolution 591 (1986) of 28 November 1986,

Commending the national policies not to sell and export oil to South Africa,

Considering that measures to ensure effective and scrupulous implementation of such embargoes through international co-operation are essential and urgent,

Noting, in this respect, the efforts undertaken by the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa,

Noting with deep concern that, through a combination of military and economic pressures, in violation of international law, the authorities of South Africa have resorted to economic reprisals and aggression against and destabilization of neighbouring States,

Alarmed by the deteriorating situation of millions of refugees, returnees and displaced persons in southern Africa caused by these policies and actions,

Considering that contacts between *apartheid* South Africa and the front-line and other neighbouring States, necessitated by geography, colonial legacy and other reasons, should not be used by other States as a pretext for legitimizing the *apartheid* system or justifying attempts to break the international isolation of that system,

⁹⁹ A/44/556.

Convinced that the existence of *apartheid* will continue to lead to ever-increasing resistance by the oppressed people, by all possible means, and increased tension and conflict that will have far-reaching consequences for southern Africa and the world.

Also convinced that policies of collaboration with the *apartheid* régime, instead of respect for the legitimate aspirations of the genuine representatives of the great majority of the people, will encourage its repression and aggression against neighbouring States and its defiance of the United Nations.

Expressing its full support for the legitimate aspiration of African States and peoples and of the Organization of African Unity for the total liberation of the continent of Africa from colonialism and racism,

1. *Strongly condemns* the policy of *apartheid* that deprives the majority of the South African population of their dignity, fundamental freedoms and human rights;

2. *Also strongly condemns* the South African authorities for the killings, arbitrary mass arrests and the detention of members of mass organizations as well as other individuals who are opposing the *apartheid* system and the state of emergency, and for the detention of and even the use of violence against children

3. *Condemns* the overt and the covert aggressive actions which South Africa has carried out for the destabilization of neighbouring States, as well as those aimed against refugees from South Africa;

4. *Demands* that the authorities of South Africa:

(a) Release immediately, unconditionally and effectively Nelson Mandela and all other political prisoners, detainees and restrictees;

(b) Immediately lift the state of emergency;

(c) Abrogate discriminatory laws and lift bans on all organizations and individuals, as well as end restrictions on and censorship of news media;

(d) Cease all political trials and political executions;

(e) Grant freedom of association and full trade union rights to all workers of South Africa;

(f) Initiate a political dialogue with genuine leaders of the majority population with a view to eradicating *apartheid* without delay and establishing a representative government;

(g) Eradicate the bantustan structures;

(h) Immediately end the destabilization of front-line and neighbouring States;

5. *Urges* the Security Council to consider without delay the adoption of effective mandatory sanctions against South Africa;

6. *Also urges* the Security Council to take steps for the strict implementation of the mandatory arms embargo instituted by it in resolution 418 (1977) and of the arms embargo requested in its resolution 558 (1984) and, within the context of the relevant resolutions, to secure an end to military and nuclear co-operation with South Africa and the import of military equipment or supplies from South Africa;

7. *Appeals* to all States that have not yet done so, pending mandatory sanctions by the Security Council, to consider national legislative or other appropriate measures to exert pressure on the *apartheid* régime of South Africa, such as:

(a) Cessation of further investment in and financial loans to South Africa;

(b) An end to all promotion of and support for trade with South Africa;

(c) Prohibition of the sale of krugerrand and all other coins minted in South Africa;

(d) Cessation of all forms of military, police or intelligence co-operation with the authorities of South Africa, in particular the sale of computer equipment;

(e) An end to nuclear collaboration with South Africa;

(f) Cessation of export and sale of oil and petroleum products to South Africa;

(g) Other measures within the economic and commercial fields;

8. *Recognizes* the pressing need, existing and potential, of South Africa's neighbouring States for economic assistance, as a complement and not as an alternative to sanctions against South Africa, and appeals to all States, organizations and institutions:

(a) To increase assistance to the front-line States and the Southern African Development Co-ordination Conference in order to increase their economic strength and independence from South Africa;

(b) To increase humanitarian, legal, educational and other such assistance and support to the victims of *apartheid*, to the liberation movements recognized by the Organization of African Unity and to all those struggling against *apartheid* and for a non-racial, democratic society in South Africa;

9. *Appeals* to all Governments and organizations to take appropriate action for the cessation of all academic, cultural, scientific and sports relations that would support the *apartheid* régime of South Africa, as well as relations with individuals, institutions and other bodies endorsing or based on *apartheid*;

10. *Commends* the States that have already adopted voluntary measures against the *apartheid* régime of South Africa in accordance with General Assembly resolution 43/50 K of 5 December 1988 and invites those which have not yet done so to follow their example;

11. *Reaffirms* the legitimacy of the struggle of the oppressed people of South Africa for the total eradication of *apartheid* and for the establishment of a non-racial, democratic society in which all the people, irrespective of race, colour or creed, enjoy fundamental freedoms and human rights;

12. *Pays tribute to and expresses solidarity with* organizations and individuals struggling against *apartheid* and for a non-racial, democratic society in accordance with the principles of the Universal Declaration of Human Rights;¹⁰⁰

13. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

63rd plenary meeting
22 November 1989

I.

SUPPORT FOR THE WORK OF THE COMMISSION AGAINST APARTHEID IN SPORTS

The General Assembly,

Recalling its resolutions on the boycott of *apartheid* in sports and in particular resolution 32/105 M of 14

¹⁰⁰ Resolution 217 A (III).

December 1977 by which it adopted the International Declaration against *Apartheid* in Sports and resolution 40/64 G of 10 December 1985, the annex to which contains the International Convention against *Apartheid* in Sports,

Having considered the report of the Commission against *Apartheid* in Sports⁹¹ and the relevant sections of the report of the Special Committee against *Apartheid*,⁸⁶

1. *Takes note* of the report of the Commission against *Apartheid* in Sports;
2. *Calls upon* those States that have signed the International Convention against *Apartheid* in Sports to ratify it and also calls upon other States to accede to it as soon as possible;
3. *Commends* those Governments, organizations and individual sportsmen and sportswomen that have taken action in accordance with the Register of Sports Contacts with South Africa with a view to achieving a total isolation of *apartheid* in sports;
4. *Requests* the Special Committee against *Apartheid* to continue issuing the Register of Sports Contacts with South Africa;
5. *Calls upon* those international sports organizations and federations that have not yet expelled South Africa or suspended its membership to do so without further delay;
6. *Requests* the Secretary-General to provide the Commission against *Apartheid* in Sports with all needed assistance.

*63rd plenary meeting
22 November 1989*

44/40. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987 and 43/54 A to C of 6 December 1988,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 27 October 1989,¹⁰¹ 16 November 1989¹⁰² and 22 November 1989,¹⁰³

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,¹⁰⁴ which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,² to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the re-

¹⁰¹ A/44/690 and Add.1

¹⁰² A/44/731-S/20968; see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989*, document S/20968.

¹⁰³ A/44/737-S/20971; see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989*, document S/20971.

¹⁰⁴ See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex.