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Thirty-eighth session

Item 18 (b) of the provisional agenda

IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR  
ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION

Note by the Secretary-General

Prepared in accordance with resolution 7 (XXXVII) of  
the Commission on Human Rights

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1. At its twenty-eighth session, the General Assembly, by resolution 3057 (XXVIII) of 2 November 1973, designated the 10-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. By the same resolution, the Assembly approved a Programme of Action for the Decade which calls for multiple and intensive action on the national, regional and international levels as well as action to be taken by United Nations bodies to implement the programme of the decade. To accelerate the implementation of the aforementioned programme, the General Assembly in its resolution 34/24 of 15 November 1979 adopted a four-year programme of activities to be undertaken during the second half of the Decade. Paragraph 18 of this Programme provided inter alia that the Commission on Transnational Corporations and the Commission on Human Rights should make a study in co-operation with the Special Committee against Apartheid, the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia with a view to enumerating specific measures whose application by all States, intergovernmental organizations, private institutions and non-governmental organizations would make it possible to end all collaboration with the racist régimes and prevent the supply of capital, loans, credits, foreign currency and any other form of commercial, financial and technological assistance to the economies of South Africa, Southern Rhodesia and Namibia by private banks, Governments and international agencies, such as the International Bank for Reconstruction and Development, the International Finance Corporation, the International Monetary Fund and similar institutions.

In resolution 14 (XXXVI) C of 26 February 1980 the Commission on Human Rights requested the Secretary-General to consult the Commission on Transnational Corporations, the Special Committee against Apartheid, as well as other various United Nations bodies, with a view to determining the modalities under which the study referred to in paragraph 18 of the Programme of Activities should be carried out. It further requested the Secretary-General to report to the Commission on specific proposals as regards the preparation of the study and the outline thereof at its thirty-seventh session.

Accordingly, the Secretary-General submitted to the Commission at its thirty-seventh session a note (E/CN.4/1447) on the question.

In his note the Secretary-General called the Commission's attention to the fact that various United Nations organs were carrying out a number of activities dealing with the question to be covered by the proposed study. In addition, the Secretary-General deemed it advisable to await the report of the seminar on Institutional Corporations and South Africa which was scheduled to be organized by the Commission in June 1981.

In resolution 7 (XXXVII) of 23 February 1981, the Commission took note of the Secretary-General's note and requested him to expedite consultations with all the bodies referred to in the Commission's resolution 14 (XXXVI) C of 26 February 1980 with a view to determining modalities under which the study in question could be carried out.

2. On 29 June-3 July 1981, pursuant to Commission on Human Rights resolution 142 (XXXVI) of 26 February 1980, a seminar was held at the United Nations Office at Geneva on the question of "Effective Measures to prevent transnational corporations and other established interest from collaborating with the racist régime of South Africa". The report of the seminar is contained in document ST/HR/SER.A/9. The seminar considered the nature and extent of the collaboration between transnational corporations and South Africa. It also reviewed existing measures to prevent such collaborations. In addition to making a number of proposals in specific areas, the seminar adopted many recommendations covering a wide range of activities.

3. Regarding the modalities for the preparation of the study in question it is the considered opinion of the Secretary-General that the report of the above-mentioned seminar should be used as a point of departure particularly since the **recommendations** contained in its Chapter III are action-oriented. The background papers prepared for the seminar would be used as sources of valuable information for the study. In addition extensive use would be made of the various relevant documents issued by the Centre on Transnational Corporations and the report by the Special Rapporteur, Mr. Ahmed Khalifa on "Assistance for Racist Régimes in southern Africa".

It is intended that the study would be carried out on the basis of the following draft general outline which was prepared in the light of discussions held by the then Chairman of the Special Committee against Apartheid, the Director of the Centre against Apartheid and the Director of the Division of Human Rights.

Title: Study on specific measures to be taken with a view to ending all forms of commercial, financial and technological assistance to the economy of South Africa.

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- Chapter I: Summary of activities of transnational corporations in South Africa and Namibia (sources: reports prepared by the Centre on Transnational Corporations; report of the seminar; report of Dr. Khalifa; background paper to the seminar prepared by V. Pillay).
- Chapter II: The concern of the United Nations as regards the activities of transnational corporations in South Africa and Namibia (review of the work of the United Nations on the matter. Source: background paper to the Seminar prepared by the United Nations Centre on Transnational Corporations).
- Chapter III: Measures which could be taken with a view to putting an end to all collaboration with the racist régime of South Africa. (Source: report of the seminar; background paper to the seminar prepared by Baldwin Sjollem).