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ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL,
MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL
AND RACIST REGIMES IN SOUTHERN AFRICA

Note by the Secretary-General

1. The question of adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa has been considered by the General Assembly since its thirtieth session in 1975.
2. In its resolution 35/32 of 14 November 1980, the General Assembly expressed its appreciation to the Special Rapporteur on this item 1/ for his revised report (E/CN.4/Sub.2/425 and Corr.1-3 and Add.1-7) and called upon the Governments of the countries where the banks, transnational corporations and other organizations named and listed in the revised report were based to take effective action to put a stop to their trading, manufacturing and investing activities in the territory of South Africa as well as in the Territory of Namibia illegally occupied by the racist Pretoria régime.
3. In the same resolution, the General Assembly decided to consider this item at its thirty-seventh session as a matter of high priority, in the light of any recommendation which the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against Apartheid might wish to submit to it.
4. The resolutions and decisions adopted by the above-mentioned organs since the adoption of General Assembly resolution 35/32, are summarized in the paragraphs below.

* A/37/150.

5. At its thirty-seventh session, the Commission on Human Rights, in resolution 8 (XXXVII) of 23 February 1981, welcomed the decision of the Sub-Commission to request the Special Rapporteur to continue to update the list and submit, through the Sub-Commission, the revised report to the Commission.
6. The decision of the Sub-Commission to request the Special Rapporteur to continue to update the list and submit the revised report through the Sub-Commission to the Commission was further endorsed by the Economic and Social Council in its decision E/1981/141 of 8 May 1981.
7. At its thirty-fourth session in 1981, the Sub-Commission examined the updated report (E/CN.4/Sub.2/469 and Corr.1 and Add.1) of the Special Rapporteur. By its resolution 6 (XXXIV) of 9 September 1981, the Sub-Commission invited the Special Rapporteur to continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist régimes in southern Africa, giving such details regarding enterprises listed as the Special Rapporteur might consider necessary including explanations or responses, if any, and to submit the updated report through the Sub-Commission to the Commission. By the same resolution, the Sub-Commission requested the Secretary-General to give the Special Rapporteur all the assistance he might require in the exercise of his functions, including the possible use of computerized assistance in the preparation of future updated reports. It also recommended to the Commission that the Committee which had been set up under the Convention on the Suppression and Punishment of the Crime of Apartheid should be asked to examine whether the actions of transnational corporations which operated in South Africa came under the definition of the crime of apartheid, and whether or not some legal action could be taken under the Convention.
8. At its thirty-eighth session, by its resolution 1982/12 of 25 February 1982, the Commission endorsed the decisions and recommendations of the Sub-Commission.
9. By its decision 1982/128 of 7 May 1982, the Economic and Social Council took note of Commission on Human Rights resolution 1982/12 and approved the decision of the Sub-Commission to request the Special Rapporteur to continue to update the list and submit the revised report, through the Sub-Commission, to the Commission.
10. Consequently, an updated report (E/CN.4/Sub.2/1982/10) was prepared by the Special Rapporteur and submitted to the Sub-Commission at its thirty-fifth session.

Notes

1/ The Special Rapporteur had been invited by resolution 1 (XXX) of the Sub-Commission, in implementation of Commission on Human Rights resolution 7 (XXXIII) to prepare the necessary material for a provisional general list identifying those whose activities constituted political, military, economic and other forms of assistance to the colonial and racist régimes in southern Africa.
