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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

Report of the Third Committee

Rapporteur: Mr. Karl BORCHARD (Federal Republic of Germany)

I. INTRODUCTION

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly decided to include in its agenda the item entitled "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" and to allocate it to the Third Committee.

2. The Committee considered this item jointly with items 76, 79 and 80 at its 3rd to 13th, 18th, 24th and 25th meetings, on 30 September and 4, 6, 8, 11 to 15, 21 and 27 October 1982. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/37/SR.3-13, 18, 24 and 25).

3. The Committee had before it the following documentation:

(a) 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: note by the Secretary-General (A/37/413);

(b) Report of the Economic and Social Council, chapter V, section A (A/37/3 (Part I)); 1/

1/ To be issued as Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 3 (A/37/3/Rev.1).

(c) Letter dated 22 June 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué and other documents of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries held at Havana, from 31 May to 5 June 1982 (A/37/333).

4. At the 3rd meeting, on 30 September, the Director of the Centre for Human Rights made an introductory statement.

5. At the 8th meeting, on 12 October, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities made a statement.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/37/L.15

6. At the 18th meeting, on 21 October, the representative of Guinea, in her capacity as chairman of the African Group for the month of October, introduced a draft resolution (A/C.3/37/L.15) submitted under the item entitled "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".

7. At the 24th meeting, on 27 October, the Secretariat referred to the financial implications of the draft resolution.

8. At the same meeting, the Committee adopted draft resolution A/C.3/37/L.15 by 113 votes to 10, with 15 abstentions (see para. 9).

III. RECOMMENDATION OF THE THIRD COMMITTEE

9. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1976, 33/23 of 29 November 1978 and 35/32 of 14 November 1980,

Recalling also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Mindful of its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of both developing countries and territories under colonial and foreign domination or subjected to the apartheid régime,

Recalling its resolutions on military collaboration with South Africa, as well as Security Council resolutions 418 (1977) of 4 November and 421 (1977) of 9 December 1977,

Taking into account, in particular, the relevant decisions adopted by the Conference of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session,

Taking note of the revised report prepared by the Special Rapporteur on the 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,

Having noted with concern that the report of the Secretary-General on the special review of the ongoing work programme of the United Nations ^{2/} concluded that the annual updated report on the 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 had been identified for termination in the proposed programme budget for the biennium 1982-1983,

Reaffirming that any collaboration with the racist régime of South Africa constitutes a hostile act against the oppressed peoples of southern Africa in their struggle for freedom and independence and a contemptuous defiance of the United Nations and of the international community,

Considering that such collaboration enables South Africa to acquire the means necessary to carry out acts of aggression and blackmail against independent African States,

Deeply concerned that the major Western and other trading partners of South Africa continue to collaborate with that racist régime and that their collaboration constitutes the main obstacle to the liquidation of that racist régime and the elimination of the inhuman and criminal system of apartheid,

Alarmed at the continued collaboration of certain Western States and Israel with the racist régime of South Africa in the nuclear field,

Regretting that the Security Council has not been in a position to take binding decisions to prevent any collaboration in the nuclear field with South Africa,

^{2/} A/36/658.

Recognizing that the highest priority must be accorded to international action to secure the full implementation of the resolutions of the United Nations for the eradication of apartheid and the liberation of the peoples of southern Africa,

Conscious of the continuing need to mobilize world public opinion against the political, military, economic and other assistance given to the racist régime of South Africa,

1. Reaffirms the inalienable right of the oppressed peoples of southern Africa to self-determination, independence and the enjoyment of the natural resources of their territories;
2. Again reaffirms the right of those same peoples to dispose of those resources for their greater well-being and to obtain just reparation for the exploitation, depletion, loss or depreciation of those natural resources, including reparations for the exploitation and abuse of their human resources;
3. Vigorously condemns the collaboration of certain Western countries, Israel and other States, as well as the multinational corporations and other organizations which maintain or continue to increase their collaboration with the racist régime of South Africa, especially in the political, economic, military and nuclear fields, thus encouraging that régime to persist in its inhuman and criminal policy of brutal oppression of the peoples of southern Africa and denial of their human rights;
4. Reaffirms once again that States and organizations which give assistance to the racist régime of South Africa become accomplices in the inhuman practices of racial discrimination, colonialism and apartheid perpetrated by this régime, as well as in the acts of aggression against the liberation movements and neighbouring States;
5. Requests the Security Council urgently to consider complete and mandatory sanctions under Chapter VII of the Charter of the United Nations against the racist régime of South Africa, in particular:
 - (a) The prohibition of all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa;
 - (b) The cessation of all collaboration with South Africa in the nuclear field;
 - (c) The prohibition of all loans to, and all investments in, South Africa and the cessation of any trade with South Africa;
 - (d) An embargo on the supply of petroleum, petroleum products and other strategic goods to South Africa.
6. Appeals to all States, the specialized agencies and the non-governmental organizations to extend all possible co-operation to the liberation movements of southern Africa recognized by the United Nations and the Organization of African Unity;

7. Expresses its appreciation to the Special Rapporteur for his revised report;
8. Affirms that the updating of the report on the 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 is of the greatest importance to the cause of fighting apartheid and other violations of human rights in South Africa and Namibia and should continue to be an activity in the ongoing work programme for 1982-1983;
9. Calls upon the Secretary-General to give all necessary assistance to the Special Rapporteur with a view to making available to him the computer services essential for the more detailed updating of his list;
10. Calls upon the Governments of the countries where the banks, transnational corporations and other organizations named and listed in the revised report are 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;
11. Requests the Secretary-General to transmit the revised report to the Special Committee against Apartheid, the United Nations Council for Namibia, other bodies concerned within the United Nations system and regional international organizations;
12. Urgently requests all specialized agencies, particularly the International Monetary Fund and the World Bank, to refrain from granting any type of loans to the racist régime in South Africa;
13. Calls upon all States, specialized agencies and regional, intergovernmental and other organizations concerned to give wide publicity to the report;
14. Invites the Commission on Human Rights to give high priority at its thirty-ninth session to the consideration of the above-mentioned report;
15. Decides to consider this question at its thirty-ninth session as a matter of high priority under an item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa" and in the light of any recommendations 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 may wish to submit to the General Assembly.
