

and security and to give due consideration to the report of the Secretary-General;

6. *Invites* the Secretary-General, in discharging his responsibilities under the Charter, to continue his efforts towards strengthening the capacity of the United Nations to fulfil the effective and decisive role envisaged for it in the Charter;

7. *Urges* that efforts to this end continue, taking into account the views expressed by Member States during the thirty-seventh session of the General Assembly as well as those which Member States may wish to offer, while views of institutions and eminent persons may also be taken into consideration as appropriate;

8. *Requests* the Secretary-General to keep the General Assembly informed on the implementation of the present resolution.

91st plenary meeting
3 December 1982

37/68. Further appeal for clemency in favour of South African freedom fighters

The General Assembly,

Having been informed that the appeal against the death sentences imposed on 19 August 1981 on Mr. Anthony Tsotso, Mr. Johannes Shabangu and Mr. David Moise, members of the African National Congress of South Africa, has been rejected by the appellate division,

Recalling its resolution 36/172 J of 17 December 1981, in particular its demand that the racist régime of South Africa refrain from the execution of persons sentenced under arbitrary repressive laws for acts arising from opposition to *apartheid*,

Deeply concerned that the South African authorities have not yet heeded the General Assembly's appeal for clemency contained in its resolution 37/1 of 1 October 1982 in favour of three other South African freedom fighters, namely Mr. Simon Mogoerane, Mr. Jerry Mosololi and Mr. Marcus Motaung,

Considering that the continued repression against and executions of opponents of *apartheid* are bound to have grave repercussions,

1. *Calls upon* the South African authorities not to proceed with the execution of the six above-mentioned freedom fighters and to commute the death sentences as soon as possible;

2. *Recommends* that the Security Council should direct an appeal for clemency to the South African authorities not to proceed with the execution of the six above-mentioned members of the African National Congress of South Africa;

3. *Requests* the Secretary-General to transmit the present resolution to the South African authorities immediately and to report on the matter to the General Assembly not later than 15 December 1982.

93rd plenary meeting
7 December 1982

37/69. Policies of *apartheid* of the Government of South Africa⁵²

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SITUATION IN SOUTH AFRICA

The General Assembly,

Recalling and reaffirming its resolutions on this question, particularly resolution 36/172 of 17 December 1981,

⁵² See also sect. I, footnote 8, and sect. X B.3, decision 37/406.

Having considered the reports of the Special Committee against *Apartheid*,⁵³

Reaffirming that *apartheid* is a crime against humanity and a threat to international peace and security,

Bearing in mind that it proclaimed 1982 International Year of Mobilization for Sanctions against South Africa,

Conscious of the responsibility of the United Nations and the international community towards the oppressed people of South Africa and their national liberation movement, as proclaimed, in particular, in General Assembly resolution 3411 C (XXX) of 28 November 1975,

Convinced that it is incumbent on the international community to provide all necessary assistance to the oppressed people of South Africa and their national liberation movement in their legitimate struggle for the establishment of a democratic society pursuant to their inalienable rights, in conformity with the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights,⁵⁴

Commending the oppressed people of South Africa and their liberation movements, particularly the African National Congress, for intensifying the armed struggle against the racist régime,

Reaffirming that the *apartheid* régime is totally responsible for precipitating violent conflict through its policy of *apartheid* and inhuman repression,

Gravely concerned at the intensification of repression in South Africa, the growing number of deaths in detention and the imposition of death sentences on freedom fighters of the African National Congress,

Reaffirming that freedom fighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I⁵⁵ to the Geneva Conventions of 12 August 1949,⁵⁶

Commending the courageous struggle of the black workers of South Africa for their inalienable rights,

Condemning the policy of "bantustanization" designed to dispossess further the African majority of its inalienable rights and to deprive it of citizenship, as well as the continuing forced removals of black people, as an international crime,

Gravely concerned at the growing number of displaced and missing persons resulting from the criminal policies of the racist régime of South Africa,

Reaffirming that *apartheid* cannot be reformed but must be totally eliminated,

Denouncing the manoeuvres of the racist régime of South Africa to divide the oppressed people through so-called constitutional dispensations and other means, and commending the oppressed people of South Africa for rejecting those manoeuvres,

Recognizing that comprehensive and mandatory sanctions by the Security Council under Chapter VII of the Charter of the United Nations are essential to avert the grave threat to international peace and security resulting from the policies and actions of the *apartheid* régime of South Africa,

Considering that political, economic, military and any other collaboration with the *apartheid* régime of South Africa encourages its persistent intransigence and defiance of the international community and its escalating acts of repression and aggression,

⁵³ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 22 (A/37/22) and Supplement No. 22A (A/37/22/Add.1 and 2).

⁵⁴ Resolution 217 A (III).

⁵⁵ A/32/144, annex I.

⁵⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.