

DIVISION

OF

GENERAL ASSEMBLY AFFAIRS



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/33/199/Add.1
4 October 1978

ENGLISH

ORIGINAL: ENGLISH/FRENCH

Thirty-third session
Agenda item 82

IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT
OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY
GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND
PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE
OF HUMAN RIGHTS

Report of the Secretary-General

Addendum

CONTENTS

	<u>Page</u>
REPLIES RECEIVED FROM GOVERNMENTS	
Finland	2
German Democratic Republic	2
Greece	5
Madagascar	5
Scydhelles	6

FINLAND

/Original: English/

/21 August 1978/

1. The Permanent Mission of Finland has the honour to inform the Secretary-General that the stipulations relating to the recruitment of mercenaries are contained in chapter 16, paragraph 22, of the Finnish Penal Code. The stipulations in question can, in view of the norms of involvement (accomplicity, aid and abetment), be extended to cover the training and financing of mercenary activity. The stipulations apply only to the recruitment of Finnish citizens. Regulations preventing Finnish nationals from being mercenaries do not exist.

2. The recruitment of mercenaries has, at least, not publicly taken place in Finland. It is, however, known that Finns have been serving as mercenaries, mainly in the French Foreign Legion.

GERMAN DEMOCRATIC REPUBLIC

/Original: English/

/September 1978/

1. The German Democratic Republic, loyal to the principles of its socialist foreign policy, stands firmly at the side of the peoples and States struggling for their liberation and the realization of their national, political and economic self-determination. The right of peoples freely, without outside interference and by every means at their command to determine their political status and shape their economic, social and cultural development in keeping with their own interests is one of the cogent fundamental principles of contemporary international law. The implementation is directly linked up with the struggle of the peoples against colonialism, racism, apartheid and imperialist aggression and for political and economic independence and the guarantee of human rights. The effective realization of all elements of this right forms an integral part of the peoples' struggle for peace, détente and disarmament.

2. The peoples of Africa, in an historically short period of time, have scored remarkable achievements in the struggle against colonialism and racism. The final elimination of the vestiges of colonialism, racism and apartheid in the south of the continent is now on the order of the day. Action to bolster the economic underpinning of the right to self-determination of peoples in the nationally liberated States has become the most crucial element in overcoming the aftermath of colonial oppression and exploitation. Essential here are the vested right of peoples to take any action they may deem necessary for their economic and social development and their free exercise of full sovereignty over their natural wealth. Diametrically opposed to the African States' and peoples' quest for achieving and consolidating their independence are attempts being made by imperialist interests to keep such States and peoples under their sway or to

/...

regain dominion over them. Wherever the interest of monopolies in profit runs into danger, the right of the African peoples to self-determination is ruthlessly trampled upon and not the slightest scruple shown in utilizing the imperialist military machinery, which seriously jeopardizes international peace. The German Democratic Republic strongly condemns the interference by NATO countries in the internal affairs of States in Africa as well as NATO's attempts to extend its sphere of action to this continent.

3. Consistent action is imperative to head off the ever-growing dangers for peace and security, which emanate from the racist régimes in South Africa and Southern Rhodesia. By the same token it is necessary to halt the extensive assistance and support being provided to the racists by imperialist circles and monopolies in the political, economic and military fields. The German Democratic Republic considers the decision on a mandatory arms embargo against the South African apartheid régime, contained in Security Council resolution 418 (1977), as an important step towards completing the racists' isolation. The task is now to ensure strict compliance with the embargo by all States and to adopt additional enforcement measures in accordance with Chapter VII of the United Nations Charter. The German Democratic Republic supports the just demands of the African States for economic sanctions, an oil embargo, withdrawal of all foreign investments, and refrainment from granting loans or other economic aid. The world-wide campaign in support of the peoples in southern Africa in the current International Anti-Apartheid Year must be turned to account in order to call a halt to the racists' escalating terror against the native populations and to put an end to the acts of aggression against sovereign neighbour States. South Africa must be stopped from obtaining possession of atomic weapons. All States Members of the United Nations bear a great responsibility for preventing such a contingency.

4. In their fight for the realization of their self-determination the colonially and racially oppressed peoples and their national liberation organizations have the right to use every means at their command. The racist régimes in South Africa and Southern Rhodesia, in their efforts to keep the peoples in southern Africa from enforcing their legitimate rights, are making large-scale use of mercenaries from imperialist countries, both in operations against the national liberation movement and in acts of aggression perpetrated against sovereign neighbour States. The German Democratic Republic, consistent with its constitutional principle to support and assist States and peoples struggling against imperialism and colonial régimes and for national freedom and independence, most vigorously condemns such practices and supports all measures to combat the mercenary evil. The German Democratic Republic maintains no relations whatsoever with the racist minority régimes in southern Africa. It strictly complies with all the decisions and resolutions adopted by the United Nations. This goes especially for operative paragraph 6 of resolution 32/14. The Penal Code of the German Democratic Republic declares the recruitment, financing and training of citizens of the German Democratic Republic with a view to participating in repressive action against other peoples to be criminal offences against the sovereignty of the German Democratic Republic and against peace, humanity and human rights. While article 88 of the Penal Code generally forbids on penalty any participation in activities for

the oppression of a people, article 87 provides for the prosecution of any person who enlists or supplies or transports citizens of the German Democratic Republic for participation in warlike actions which serve to suppress another people as well as of any accomplice in such punishable acts.

5. The German Democratic Republic unswervingly sides with the peoples of South Africa, Namibia and Zimbabwe and their legitimate liberation organizations - ANC, SWAPO and the Patriotic Front. Its solidarity is with the Arab people of Palestine under the leadership of the PLO. The cause of lending active support and assistance to these peoples in the political, moral, diplomatic and material fields has engaged the hearts of the citizens of our State. Evidence thereof are the demands for a transfer of full power to the peoples of Namibia and Zimbabwe, who are represented by their national liberation organizations, as well as for the elimination of the inhuman policy of apartheid and the realization of the right to self-determination of the people of Palestine, including their right to establish a State of their own. Further testimonies to this are the visits to the German Democratic Republic of leaders of the national liberation organizations in southern Africa - President Sam Nujoma of SWAPO, Co-Chairman Joshua Nkomo of the Patriotic Front of Zimbabwe, and President Oliver Tambo of the ANC. A concrete result of these visits was the opening in January 1978 of an office of Zimbabwe's ZAPU in the German Democratic Republic.

The International Anti-Apartheid Year proclaimed by the United Nations receives unqualified support from the German Democratic Republic and its political parties and social organizations. By undertaking a wide variety of actions, which are co-ordinated by a special governmental commission, the German Democratic Republic helps ensure that the Anti-Apartheid Year will lend fresh impetus to the continued struggle for the final eradication of all forms of colonial and racist oppression in all regions of the globe.

6. The commitment of the people of the German Democratic Republic to the struggle against colonialism, racism and apartheid is highlighted by an annual Week of Solidarity with the Peoples of Africa Struggling for National and Social Liberation and against Racism and by a Month of Anti-Imperialist Solidarity, observed in December. The ever-increasing solidarity contributions from citizens of the German Democratic Republic enable the German Democratic Republic to render the peoples held under colonial or racist oppression an even more effective support and assistance, which is co-ordinated by the country's Solidarity Committee. In the first half of 1978 alone, 15 million marks worth of urgently needed solidarity supplies were shipped to Africa on board 15 chartered planes, including, for example, medical drugs and medical equipment totalling 2.6 million marks. The Solidarity Committee of the German Democratic Republic notably arranges for the medical treatment of wounded liberation fighters from southern Africa. Only recently forty wounded SWAPO patriots - victims of South African aggression in Angola - arrived for treatment in the German Democratic Republic. According to the Solidarity Committee, another 250 members of southern African liberation organizations will come to train at educational facilities of the German Democratic Republic later this year.

The German Democratic Republic, in consistent pursuit of its policies, will continue to the best of its abilities, as it has done in the past, to lend support and assistance to the colonially and racially oppressed peoples in their struggle for the realization of their inalienable rights. As the General Secretary of the Central Committee of the Socialist Unity Party of Germany and Chairman of the Council of State of the German Democratic Republic, Erich Honecker, reaffirmed in his message of greetings to the World Conference to Combat Racism and Racial Discrimination, "our State and our people will continue to do all they can to render a worthy contribution to the attainment of the aims of the Decade for Action, i.e., the final elimination of all forms of racist oppression and exploitation in the world". This commitment animates the German Democratic Republic in its unreserved backing of the important decisions adopted by this World Conference, which marked a significant stage for the further determined struggle against colonialism, racism and apartheid.

GREECE

/Original: French/
/12 September 1978/

1. Mercenaries are not being trained in Greece.
2. The prohibition of the use of mercenaries does not require any additional legislative enactment, since article 206 of the penal code provides that "anyone who recruits a Greek citizen for military service in a foreign country, and anyone who assists him in any way whatsoever, shall be punished by imprisonment".

MADAGASCAR

/Original: French/
/24 August 1978/

1. With regard to the enactment of legislation concerning the use of mercenaries (paragraph 6 of General Assembly resolution 32/14), the Malagasy Government considers the use of mercenaries to be a tool of international imperialism that serves to perpetuate its rule or to destabilize the progressive régimes of the world in general and those of Africa in particular. The Democratic Republic of Madagascar, as a State member of the OAU, is at present studying ways and means of incorporating the OAU Convention on the Elimination of the Use of Mercenaries in Africa into its internal legislation. In doing so, the Democratic Republic of Madagascar intends to defend its own interests and thus reaffirm once more its solidarity with all oppressed peoples and freedom-loving States in their struggle against international imperialism which uses mercenaries as a weapon for obstructing the peace, freedom and independence of peoples.
2. With regard to the strengthening of assistance to colonial Territories and

/...

peoples under foreign domination and control (paragraph 14 of General Assembly resolution 32/14), the Malagasy Government, in spite of its limited means and the present economic and financial difficulties it is undergoing, has nevertheless steadfastly given its active support to the African national liberation movements struggling for their sovereignty and national independence. This support is especially evident in the moral, political, diplomatic, financial, and material spheres. In this regard, Madagascar regularly makes financial contributions to these national liberation movements through OAU. Furthermore, Madagascar supplies technical assistance to these movements through the training of military personnel at the Military Academy of Antsirabe.

SEYCHELLES

/Original: English/

Seychelles has not yet enacted legislation on mercenaries, but the subject is under consideration.
