



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/31/331
19 November 1976

ORIGINAL: ENGLISH

Thirty-first session
Agenda item 70

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. Ibrahim BADAWI (Egypt)

I. INTRODUCTION

1. 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" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3385 (XXX) of 10 November 1975.
2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered this item at its 19th, 21st to 26th, 28th, 29th, and 35th to 40th meetings, held between 15 October and 5 November 1976. The views expressed by the representatives of member States and observers are contained in the summary records of those meetings (A/C.3/31/SR.19, 21-26, 28, 29 and 35-40).
4. In connexion with item 70, the Committee had before it the following documentation:
 - (a) Note by the Secretary-General giving background information on the item (A/31/221);
 - (b) Preliminary report on the subject by Mr. Ahmed M. Khalifa, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, submitted to the Sub-Commission at its twenty-ninth session (E/CN.4/Sub.2/371);

(c) Introductory statement of the Special Rapporteur before the twenty-ninth session of the Sub-Commission (E/CN.4/Sub.2/SR.763 and 764).

5. At the 19th meeting, on 15 October, the Director of the Division of Human Rights introduced the item.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/31/L.16

6. The Committee had before it a draft resolution (A/C.3/31/L.16), which was sponsored by Algeria, Benin, the Gambia, Ghana, Guinea, Iraq, the Libyan Arab Republic, Madagascar, Nigeria, Senegal, Somalia, the Syrian Arab Republic, Togo, the United Republic of Cameroon, the United Republic of Tanzania and Zambia, subsequently joined by the Congo and Democratic Yemen. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975,

"Recalling resolution 6 (XXXII) of 1 March 1976 of the Commission on Human Rights, denouncing with indignation the political, military, economic and other forms of assistance which certain States give to the racist minority régimes of southern Africa,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 on the establishment of the new international economic order,

"Recalling its resolution 3281 (XXIX) of 12 December 1974 on the Charter of Economic Rights and Duties of States,

"Recalling its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of developing countries and territories under foreign occupation, colonial rule, alien domination and apartheid,

"Having considered the preliminary report of the Special Rapporteur contained in document E/CN.4/Sub.2/371 of 14 July 1976,

"Convinced that the above-mentioned report contains additional evidence enabling it to conclude that the political, military, economic and other assistance given to the racist and colonial régimes of South Africa and Southern Rhodesia by certain States is the major factor in the perpetuation of the abominable policies of these régimes inasmuch as they adversely affect the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

"Noting with concern that three permanent members of the Security Council, namely France, the United Kingdom and the United States of America, by the use

of the veto prevent the Council from taking effective action against the South African apartheid régime, thus impairing the exercise and the enjoyment of human rights of the oppressed peoples of southern Africa,

"Noting further that the actions of some States in strengthening political, economic, military and other relations with the South African régime are in flagrant and deliberate violation of the purposes and principles of the Charter and resolutions of the United Nations,

"Convinced that the continued military and nuclear collaboration between certain States and organizations, and the racist régimes in southern Africa constitute a serious menace not only to the oppressed peoples of southern Africa but also to the independent African States and to international peace and security,

"1. Reaffirms the inalienable rights of the oppressed peoples of southern Africa to self-determination, independence and the enjoyment of the natural resources of their territories;

"2. Reaffirms further the right of these same oppressed peoples to dispose of those resources in their best interests, and to receive full compensation for the exploitation, depletion, loss of and damages to their natural resources including compensation for the exploitation and manipulation of their human resources;

"3. Condemns strongly the collaboration of all States, particularly France, the Federal Republic of Germany, the United Kingdom, the United States of America, Israel and Japan, as well as certain foreign economic interests which maintain and/or continue to increase their collaboration with the racist régimes of southern Africa, especially in the economic, military and nuclear fields;

"4. Reaffirms that the States and organizations which give assistance to the racist and colonial régimes in southern Africa are accomplices in the inhuman practices of racial discrimination, apartheid and colonialism perpetrated by those régimes;

"5. Invites the Security Council to impose a total embargo on sales, gifts and transfers of arms or any other kind of military supplies to South Africa;

"6. Calls upon all States scrupulously to observe the sanctions imposed on the illegal minority régime of Southern Rhodesia;

"7. Calls upon all States, specialized agencies, intergovernmental and non-governmental organizations to offer all possible assistance to the liberation movements of southern Africa that are recognized by the Organization of African Unity and the United Nations;

"8. Invites the Economic and Social Council, in collaboration with the Commission on Human Rights, to examine the question of the consequences of the use of the veto on the enjoyment of human rights by the oppressed peoples of southern Africa and submit a report to the General Assembly at its thirty-third session;

"9. Requests the Secretary-General to transmit the preliminary report of the Special Rapporteur to the Special Committee against Apartheid and to the Council for Namibia;

"10. Decides to consider this item at its thirty-third session as a matter of priority in the light of any recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council, as well as the Special Committee against Apartheid."

7. At the 38th meeting, on 3 November, the representative of Nigeria introduced a revised text (A/C.3/31/L.16/Rev.1), which was also sponsored by Burundi, Egypt, Ethiopia and Yemen, subsequently joined by Equatorial Guinea, Mozambique, the Lao People's Democratic Republic, Sierra Leone, the Sudan and Uganda. At the same meeting, the representative of Nigeria revised operative paragraph 8 by inserting the words "by the above-mentioned three permanent members" after the word "veto".

8. At the 39th meeting, on 4 November, the representatives of Senegal and the United Republic of Cameroon withdrew the names of their delegations from the list of sponsors of the revised draft resolution, because of the changes introduced to operative paragraph 8.

9. At the same meeting, the Committee adopted the draft resolution by a roll-call vote of 87 to 12, with 31 abstentions (see para. 11 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Barbados, Benin, Bolivia, Botswana, Brazil, Burma, Burundi, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, Denmark, France, Germany (Federal Republic of), Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Costa Rica, Czechoslovakia, Dominican Republic, Finland, German Democratic Republic, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Iran, Malawi, Mongolia, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

10. The summary records of the 39th and 40th meetings (A/C.3/31/SR.39 and 40) contain the explanations of vote on the draft resolution.

III. RECOMMENDATION OF THE THIRD COMMITTEE

11. 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 colonial and racist régimes in southern Africa

The General Assembly,

Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975,

Recalling resolution 6 (XXXII) of 1 March 1976 of the Commission on Human Rights, 1/ denouncing with indignation the political, military, economic and other forms of assistance which certain States give to the racist minority régimes of southern Africa,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and Programme of Action on the Establishment of a New International Economic Order,

Recalling its resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Recalling its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of developing countries and territories under foreign occupation, colonial rule, alien domination and apartheid,

1/ See Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3 (E/5768), chap. XX, sect. A.

Having considered with satisfaction the preliminary report of 14 July 1976 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 the colonial and racist régimes in southern Africa, 2/

Convinced that the above-mentioned report contains additional evidence enabling the General Assembly to conclude that the political, military, economic and other assistance given to the racist and colonial régimes of South Africa and Southern Rhodesia by certain States is the major factor in the perpetuation of the abominable policies of these régimes inasmuch as they adversely affect the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

Noting with concern that three permanent members of the Security Council - France, the United Kingdom of Great Britain and Northern Ireland and the United States of America - by the use of the veto prevent the Council from taking effective action against the South African apartheid régime, thus impairing the exercise and the enjoyment of human rights of the oppressed peoples of southern Africa,

Noting further that the actions of some States in strengthening political, economic, military and other relations with the South African régime are in flagrant and deliberate violation of the purposes and principles of the Charter and resolutions of the United Nations,

Convinced that the continued military and nuclear collaboration of certain States and organizations with the racist régimes in southern Africa constitutes a serious menace not only to the oppressed peoples of southern Africa, but also to the independent African States and to international peace and security,

1. Reaffirms the inalienable rights of the oppressed peoples of southern African to self-determination, independence and the enjoyment of the natural resources of their territories;

2. Reaffirms further the right of these same oppressed peoples to dispose of those resources in their best interests and to receive full compensation for the exploitation, depletion, loss of and damages to their natural resources, including compensation for the exploitation and manipulation of their human resources;

3. Strongly condemns the collaboration of all States, particularly France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Israel and Japan, as well as those foreign economic interests which maintain and/or continue to increase their collaboration with the racist régimes of southern Africa, especially in the economic, military and nuclear fields;

4. Reaffirms that the States and organizations which give assistance to the racist and colonial régimes in southern Africa are accomplices in the inhuman practices of racial discrimination, apartheid and colonialism perpetrated by those régimes;
5. Invites the Security Council to impose a total embargo on sales, gifts and the transfer of arms or any other kind of military supplies to South Africa;
6. Calls upon all States scrupulously to observe the sanctions imposed on the illegal minority régime of Southern Rhodesia;
7. Calls upon all States, specialized agencies, intergovernmental and non-governmental organizations to offer all possible assistance to the liberation movements of southern Africa that are recognized by the Organization of African Unity and the United Nations;
8. Invites the Economic and Social Council, in collaboration with the Commission on Human Rights, to examine the question of the consequences of the use of the veto by the above-mentioned three permanent members of the Security Council on the enjoyment of human rights by the oppressed peoples of southern Africa and to submit a report thereon to the General Assembly at its thirty-third session;
9. Requests the Secretary-General to continue to accord the Special Rapporteur the assistance he needs to complete his study;
10. Requests the Secretary-General to transmit the preliminary report of the Special Rapporteur to the Special Committee against Apartheid and to the United Nations Council for Namibia;
11. Decides to consider this item at its thirty-third session as a matter of priority in the light of any recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights and the Economic and Social Council, as well as by the Special Committee against Apartheid and the United Nations Council for Namibia.
