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ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL,
MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST
AND COLONIALIST REGIME OF SOUTH AFRICA

Report of the Third Committee

Rapporteur: Mr. Grzegorz POLOWCZYK (Poland)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1984, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-ninth session the 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 to allocate it to the Third Committee.
2. The Third Committee, considered this item jointly with items 86, 87 and 88 at its 4th to 15th, 27th and 34th meetings on 8, 9, 12 to 18 October and 1 and 8 November 1984. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/39/SR.4-15, 27 and 34).
3. The Committee had before it the following documentation:

(a) Report of the Economic and Social Council, chapter V, section A (A/39/3 (Part I)); 1/

* Reissued for technical reasons.

1/ To be issued as Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 3 (A/39/3).

(b) 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: note by the Secretary-General (A/39/534);

(c) The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régime in southern Africa: updated report of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1 and 2);

(d) Letter dated 15 October 1984 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General transmitting the resolutions and other documents of the Third Conference of Ministers of Labour of Non-Aligned Countries and Other Developing Countries, held at Managua from 10 to 12 May 1984 (A/39/581-S/16782);

(e) Letter dated 4 October 1984 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General, transmitting a note dated 21 September 1984 from the Permanent Mission of Argentina to the Centre for Human Rights (A/C.3/39/2).

4. At the 4th meeting, on 8 October, the Assistant Secretary-General for Human Rights made an introductory statement.

5. At the 8th meeting, on 15 October, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 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 régime in southern Africa made an introductory statement.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/39/L.7

6. At the 27th meeting, on 1 November, the representative of Ethiopia, on behalf of the States Members of the United Nations which are members of the African Group, introduced a draft resolution (A/C.3/39/L.7) 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".

7. A statement by the Secretary-General on the programme budget implications of the draft resolution was circulated in document A/C.3/39/L.16.

8. At its 34th meeting, on 8 November, the Committee adopted draft resolution A/C.3/39/L.7 by a recorded vote of 104 to 9, with 17 abstentions (see para. 9). The voting was as follows: 2/

2/ Subsequently, the representatives of the Central African Republic, Mali and Israel indicated that, as a result of a mechanical failure, their votes did not register. The representatives of the Central African Republic and Mali had voted in favour of the draft resolution and the representative of Israel had voted against it.

In favour: Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Barbados, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Federal Republic of, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bhutan, Denmark, Finland, Greece, Haiti, Honduras, Iceland, Ireland, Japan, Malawi, New Zealand, Norway, Portugal, Spain, Sweden.

III. RECOMMENDATION OF THE THIRD COMMITTEE

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 1975, 33/23 of 29 November 1978, 35/32 of 14 November 1980 and 37/39 of 3 December 1982,

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 1977 and 421 (1977) of 9 December 1977,

Taking into account, in particular, the relevant decisions adopted by the Assembly of Heads of State and Government at its nineteenth session, held in Addis Ababa from 6 to 12 June 1983, 3/ and by the Council of Ministers of the Organization of African Unity at its fortieth ordinary session held in Addis Ababa from 27 February to 5 March 1984, 4/

Taking note of the updated report prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonial régime in southern Africa, 5/

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,

3/ See A/38/312, annex.

4/ See A/39/207, annex.

5/ E/CN.4/Sub.2/1984/8 and Add.1 and 2.

Affirming 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 forms of assistance given to the racist and colonialist 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 reparation for the exploitation and abuse of their human resources;

3. Vigorously condemns the collaboration of certain Western States, Israel and other States, as well as the transnational 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 that 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, specialized agencies and 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 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report; 5/

8. Reaffirms 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 the colonial and racist régime 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;

9. Invites the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist and colonialist régime of South Africa, giving such details regarding enterprises listed as the Rapporteur may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report to the General Assembly at its forty-first session;

(b) To use all available material from other United Nations organs, Member States, national liberation movements recognized by the Organization of African Unity, specialized agencies and other intergovernmental and non-governmental organizations, as well as other relevant sources, in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist régime of South Africa;

(c) To initiate direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, with a view to consolidating mutual co-operation in updating his report;

10. Requests the Secretary-General to give the Special Rapporteur all the assistance, including adequate travel funds, that he may require in the exercise of his mandate, with a view in particular to establishing direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, to expanding his work on the annotation of certain selected cases as reflected in the list contained in his report and to continuing the computerization of future updated lists;

11. Calls upon the Governments of the countries where the banks, transnational corporations and other organizations named and listed in the updated 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;

12. Urgently requests all specialized agencies, particularly the International Monetary Fund and the World Bank, to refrain from granting loans or financial assistance of any type to the racist régime of South Africa;

13. Requests the Secretary-General to transmit the updated 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;

14. Invites the Secretary-General to give the updated report the widest dissemination, to issue it as a United Nations publication and to make it available to learned societies, research centres, universities, political and humanitarian organizations and other interested groups;

15. Calls upon all States, specialized agencies and regional, intergovernmental and other organizations concerned to give wide publicity to the updated report;

16. Invites the Commission on Human Rights to give high priority at its forty-first session to the consideration of the updated report;

17. Decides to consider at its forty-first session, as a matter of high priority, the 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", 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 it.
