

13. *Also decides* to transmit the report of the Committee on Economic, Social and Cultural Rights on its third session to the General Assembly at its forty-fourth session for consideration under the agenda item entitled "International Covenants on Human Rights".

*16th plenary meeting  
24 May 1989*

### **1989/82. Infringements of trade union rights in South Africa**

*The Economic and Social Council,*

*Recalling* its resolution 1988/41 of 27 May 1988.

*Having examined* the relevant section of the report of the *Ad Hoc* Working Group of Experts on southern Africa of the Commission on Human Rights<sup>139</sup> and having considered the complaint made by the Congress of South African Trade Unions against the South African régime concerning the infringement of the right of freedom of association, referred to the Council in accordance with its resolution 277 (X) of 17 February 1950 and contained in annex II to the note by the Secretary-General on allegations regarding infringements of trade union rights.<sup>140</sup>

*Noting* that the reply from the Government of South Africa addressed to the Secretary-General and contained in annex III to the note by the Secretary-General pre-dates the enactment of the legislation which constitutes the subject of the complaint,

*Gravely concerned* at the further deterioration of the situation as a result of the enactment of new legislation placing drastic restrictions on the exercise of trade union rights.

*Noting with indignation* that dehumanizing conditions imposed on black workers by the Government of South Africa and police intervention in industrial disputes, including mass arrests, banning and harassment of trade unionists, continue.

*Aware* of the ever-growing importance of the role of the independent black trade union movement in the struggle against *apartheid*.

1. *Takes note* of the relevant section of the report of the *Ad Hoc* Working Group of Experts on Southern Africa of the Commission on Human Rights;<sup>139</sup>

2. *Condemns* the increased repression of the independent black trade union movement by the Government of South Africa;

3. *Demands once again* that the persecution of trade unionists and the repression of the independent black trade union movement cease;

4. *Requests once again* immediate recognition of the right of the entire population of South Africa to exercise freedom of association and to form and join trade unions without impediment or discrimination of any kind;

5. *Demands* the immediate unconditional release of all trade unionists imprisoned for exercising their legitimate trade union rights;

6. *Requests* the *Ad Hoc* Working Group of Experts to continue to study the situation and to report thereon to the Commission on Human Rights and the Council;

7. *Also requests* the *Ad Hoc* Working Group of Experts, in the discharge of its mandate, to consult

with the International Labour Organisation and the Special Committee against *Apartheid*, as well as with international and African trade union confederations;

8. *Decides* to consider at its first regular session of 1990 the question of allegations regarding infringements of trade union rights in South Africa as a sub-item of the item entitled "Human rights";

9. *Requests* the Secretary-General to persist in his efforts to ensure referral of the complaint made by the Congress of South African Trade Unions to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation.

*16th plenary meeting  
24 May 1989*

### **1989/83. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination**

*The Economic and Social Council,*

*Reaffirming* the purpose set forth in the Charter of the United Nations of achieving international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

*Recalling* the proclamation by the General Assembly, in its resolution 38/14 of 22 November 1983, of the Second Decade to Combat Racism and Racial Discrimination,

*Recalling also* the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, approved by the General Assembly in its resolution 38/14 to which it is annexed, to achieve the objectives of the Second Decade,

*Reaffirming* the plan of activities for the periods 1985-1989 and 1990-1993, to be implemented by the Secretary-General in accordance with General Assembly resolutions 39/16 of 23 November 1984 and 42/47 of 30 November 1987,

*Conscious* of the responsibility conferred upon it by the General Assembly for co-ordinating and, in particular, evaluating the activities undertaken in the implementation of the Programme of Action for the Second Decade,

*Bearing in mind*, in particular, its mandate under General Assembly resolution 41/94 of 4 December 1986 to submit to the Assembly, during the period of the Second Decade, annual reports on the activities undertaken or contemplated to achieve the objectives of the Second Decade,

*Having examined* the report of the Secretary-General on the implementation of the Programme of Action for the Second Decade,<sup>141</sup>

*Noting* that, despite the efforts of the international community, the principal objectives of the first Decade for Action to Combat Racism and Racial Discrimination and the first years of the Second Decade have not been attained, and that millions of human beings continue to be victims of varied forms of racism, racial discrimination and *apartheid*,

*Stressing* the need to continue the co-ordination of activities undertaken by various United Nations bodies and specialized agencies for the purpose of

<sup>139</sup>E/1989/53, annex

<sup>140</sup>E/1989/49.