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### 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

Algeria, Botswana, Bulgaria, Burkina Faso, Cameroon, Colombia,  
Cuba, Ethiopia, German Democratic Republic, Ghana, Guatemala,  
Guinea, India, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya,  
Madagascar, Mongolia, Nicaragua, Nigeria, Peru, Rwanda, Uganda,  
Ukrainian Soviet Socialist Republic, United Republic of Tanzania,  
Zambia and Zimbabwe: draft resolution

### Use of mercenaries as a means to violate human rights and to impede the exercise of the right of people to self-determination

#### The General Assembly,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as a scrupulous respect for the principle of the non-use of threat or the use of force in international relations, as developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, 1/

Reaffirming the legitimacy of the struggle of peoples and their liberation movements for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign intervention and occupation, and that their legitimate struggle can in no way be considered as or equated to mercenary activity,

1/ Resolution 2625 (XXV), annex.

Recognizing that the use of mercenaries is a threat to international peace and security,

Deeply concerned about the menace that the activities of mercenaries represent for all States, particularly African, Central American and other developing States,

Alarmed at the emergence of new international criminal activities of mercenaries, in collusion with drug traffickers,

Recognizing that the activities of mercenaries are contrary to the fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and impede the process of the self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination,

Recalling all of its relevant resolutions as well as those of the Security Council, the Economic and Social Council and the Organization of African Unity, which, inter alia, condemn any State that permits or tolerates the recruitment, financing, training, assembly, transit and use of mercenaries, with the objective of overthrowing the Governments of States Members of the United Nations, especially against developing countries or against national liberation movements,

Deeply concerned about the loss of life, the substantial damage to property and the short- and long-term negative effects on the economy of southern African countries resulting from mercenary aggression,

Convinced that it is necessary to develop international co-operation among States for the prevention, prosecution and punishment of such offences,

1. Expresses its appreciation to the Special Rapporteur of the Commission on Human Rights for his report 2/ on the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination;

2. Condemns the recruitment, financing, training, assembly, transit and use of mercenaries, as well as all other forms of support to mercenaries for the purpose of destabilizing and overthrowing the Governments of southern Africa and Central America and of other developing States and fighting against national liberation movements of peoples struggling for the exercise of their right to self-determination;

3. Affirms that the use of mercenaries as well as their recruitment, financing and training are offences punishable in accordance with existing international law;

4. Strongly condemns the racist régime of South Africa for its use of groups of armed mercenaries against national liberation movements and for the destabilization of the Governments of southern African States;

5. Denounces any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;

6. Urges all States to take the necessary steps and exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure, by both administrative and legislative measures, that the territories of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or for the planning of activities designed to destabilize or overthrow the Government of any State and fight the national liberation movements struggling against racism, apartheid, colonial domination and foreign intervention or occupation;

7. Calls upon all States to extend humanitarian assistance to victims of situations resulting from the use of mercenaries, as well as from colonial or alien domination or foreign occupation;

8. Considers it inadmissible to use channels of humanitarian and other assistance to finance, train and arm mercenaries;

9. Welcomes the provisions of Commission on Human Rights resolution 1988/7 of 22 February 1988 3/ aimed at giving the Special Rapporteur the full opportunity to carry out his mandate most effectively;

10. Requests the Secretary-General to present to the General Assembly, at its forty-fifth session, a report on the use of mercenaries.

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3/ See Official Records of the Economic and Social Council, 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.