

27. *Denounces* the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel;<sup>93</sup>

28. *Strongly condemns* the persistent policy of hostility and aggression pursued by racist South Africa against the sovereignty and territorial integrity of Angola, which constitutes a violation of the New York accord of 22 December 1988;<sup>98</sup>

29. *Demands* that the Pretoria régime respect the sovereignty and territorial integrity of Angola and the principle of non-interference in the internal affairs of that State, and demands the immediate payment of compensation to Angola for damages caused, in accordance with the relevant decisions and resolutions of the Security Council;

30. *Commends* the Government of Angola for its political will, diplomatic flexibility and constructive spirit in the search for a negotiated solution to the problems of southern Africa;

31. *Strongly reaffirms* its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

32. *Strongly condemns* the racist régime of Pretoria for its acts of destabilization against Lesotho, and strongly urges the international community to continue to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime so that it desists from such acts against Lesotho;

33. *Also strongly condemns* the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana, and demands that the racist régime pay full and adequate compensation to Botswana for the loss of life and damage to property;

34. *Further strongly condemns* the escalation of massacres of defenceless people and the continuing destruction of economic and social infrastructures perpetrated against Mozambique by armed terrorists, who are an extension of the South African army of aggression;

35. *Reaffirms* all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 43/33 of 22 November 1988, and calls upon the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to the question;

36. *Notes* the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;

37. *Strongly condemns* the continued violation of the human rights of the peoples still under colonial domination and alien subjugation;

38. *Calls* for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and *apartheid* through national liberation movements recognized by the Organization of African Unity;

39. *Reaffirms* that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act, and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences, and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

40. *Demands* the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights,<sup>4</sup> under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

41. *Expresses its appreciation* for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and other intergovernmental organizations, and calls for a substantial increase in that assistance;

42. *Urges* all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

43. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities in this regard;

44. *Decides* to consider this item at its forty-fifth session on the basis of the reports on the strengthening of assistance to colonial territories and peoples that Governments, organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations have been requested to submit.

*78th plenary meeting  
8 December 1989*

#### **44/80. Universal realization of the right of peoples to self-determination**

*The General Assembly,*

*Reaffirming* the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,<sup>5</sup> as well as in the Declaration on the Granting of Independence to

<sup>98</sup> A/43/989-S/20346, annex; see *Official Records of the Security Council, Forty-third Year, Supplement for October, November and December 1988*, document S/20346.

Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

*Welcoming* the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

*Deeply concerned* at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

*Expressing grave concern* that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

*Recalling* the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth,<sup>99</sup> thirty-seventh,<sup>100</sup> thirty-eighth,<sup>101</sup> thirty-ninth,<sup>102</sup> fortieth,<sup>103</sup> forty-first,<sup>41</sup> forty-second,<sup>104</sup> forty-third,<sup>44</sup> forty-fourth<sup>45</sup> and forty-fifth sessions,<sup>2</sup>

*Reiterating* its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987 and 43/105 of 8 December 1988,

*Taking note* of the report of the Secretary-General,<sup>105</sup>

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of these acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting

from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this issue to the General Assembly at its forty-fifth session under the item entitled "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".

78th plenary meeting  
8 December 1989

#### 44/81. Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples 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 or threat of use of force in international relations, as developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>106</sup>

*Reaffirming* the legitimacy of the struggle of peoples and their liberation movements for 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,

*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 carried out by 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, in which, *inter alia*, it condemned any State that permitted or tolerated 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 those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions of the Security Council and the Economic and Social Council, as well as of the Organization of African Unity,

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

<sup>99</sup> See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

<sup>100</sup> *Ibid.*, 1981, *Supplement No. 5* and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

<sup>101</sup> *Ibid.*, 1982, *Supplement No. 2* and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

<sup>102</sup> *Ibid.*, 1983, *Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

<sup>103</sup> *Ibid.*, 1984, *Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

<sup>104</sup> *Ibid.*, 1986, *Supplement No. 2* (E/1986/22), chap. II, sect. A.

<sup>105</sup> A/44/548.

<sup>106</sup> Resolution 2625 (XXV), annex.