



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/7826  
5 December 1969

ORIGINAL: ENGLISH

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Twenty-fourth session  
Agenda item 57

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,  
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF  
APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Report of the Third Committee

Rapporteur: Dr. Luděk HANDL (Czechoslovakia)

## INTRODUCTION

1. The General Assembly at its 1758th meeting on 20 September 1969, allocated to the Third Committee agenda item 57 entitled "Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories".
2. The Committee had before it: (a) the relevant chapter of the report of the Economic and Social Council<sup>1/</sup>; (b) a report of the Secretary-General (A/7660) on the implementation of General Assembly resolutions 2439 (XXIII) entitled "Measures for effectively combating racial discrimination and the policies of apartheid and segregation in southern Africa" and 2440 (XXIII) entitled "Report of the Ad Hoc Working Group of Experts on the treatment of political prisoners in South Africa". The report of the Secretary-General also refers to resolution 1415 (XLVI) adopted on the recommendation of the Commission on Human Rights by the Economic and Social Council on 6 June 1969 and which contains a draft resolution for the consideration of the General Assembly. Annex III of the report contains a note by the Office of the United Nations High Commissioner for Refugees on assistance to refugees from the Republic of South Africa; (c) a report of the Secretary-General (A/C.3/L.1659) containing a statement of financial implications by the Secretary-General relating to Economic and Social Council resolution 1415 (XLVI); (d) a letter dated 10 November 1969 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/7762); (e) a letter dated 12 November 1969 from the Permanent Representative of the United Arab Republic to the United Nations addressed to the Secretary-General (A/C.3/619); (f) a letter dated 20 November 1969 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/7787). Subsequently a letter dated 3 December 1969 from the Secretary-General to the Permanent Representative of the Union of Soviet Socialist Republics was circulated under the symbol A/7819.

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<sup>1/</sup> Official Records of the General Assembly, Twenty-third session, Supplement No. 3 (A/7603), chapter IX, section A.

I. PROCEEDINGS IN THE THIRD COMMITTEE

3. The Committee considered the item at its 1697th to 1709th meetings and at its 1712th and 1713th meetings, from 10 to 20 November 1969 and on 24 November 1969. It recommended to the General Assembly the adoption of three draft resolutions.

II. DRAFT RESOLUTIONS AND AMENDMENTS

4. In addition to the draft resolution submitted by the Economic and Social Council, two other draft resolutions were introduced:

(a) Resolution recommended by the Economic and Social Council

5. The draft resolution recommended by the Economic and Social Council read as follows:

"The General Assembly,

"Having considered the recommendation of the Economic and Social Council contained in its resolution 1415 (XLVI) of 6 June 1969,

"Recalling its resolution 2144 A (XXI) of 26 October 1966, in which it invited the Economic and Social Council and the Commission on Human Rights to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they may occur,

"Recalling also its resolution 2145 (XXI) of 27 October 1966, by which it terminated South Africa's Mandate over Namibia, formerly known as South West Africa, and its resolution 2248 (S-V) of 19 May 1967, by which it decided to establish a United Nations Council for Namibia,

"Taking into account, in particular, the relevant resolutions of the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights on the problem of apartheid and on the elimination of all forms of racial discrimination in southern Africa,

"Alarmed by the evidence of gross and systematic violations of human rights and fundamental freedoms in South Africa, Namibia and Southern Rhodesia,

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"Considering that the Governments and the illegal minority racist régimes in southern Africa continue to enjoy political, commercial, military, economic and cultural relations with many States, in disregard of previous resolutions of the General Assembly and specifically of paragraphs 5 and 6 of resolution 2439 (XXIII) of 19 December 1968,

"Further considering that the existence of such relations contributes to the perpetuation and intensification of the barbarous policies of apartheid, racial discrimination and colonialism in southern Africa,

"Convinced that the gross and systematic violations of human rights and fundamental freedoms in southern Africa are of serious international concern and require urgent and effective action by the United Nations,

"1. Endorses the recommendations<sup>2/</sup> of the Special Rapporteur;<sup>3/</sup>

"2. Calls upon the Government of the Republic of South Africa to repeal the various discriminatory laws cited in a part of paragraph 529 of the Special Rapporteur's report<sup>4/</sup> and to assist the United Nations in restoring the human rights of the inhabitants of Namibia by immediately putting an end to its illegal occupation of Namibia;

"3. Condemns the racist Government of the Republic of South Africa for its perpetuation and further intensification of the inhuman policy of apartheid in complete and flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and for its continuing affront and insult to the human conscience;

"4. Condemns the Government of the Republic of South Africa for enacting the Development of Self-Government for Native Nations in South West Africa Act, 1968 and the Library Ordinance, section 19;

"5. Further condemns the racist Government of the Republic of South Africa for intensifying the policy of apartheid in Namibia, a territory under United Nations administration and illegally occupied by the Government of South Africa;

"6. Calls upon the Government of the Republic of South Africa to rescind immediately the 'Banning Orders' issued under the Suppression of Communism Act against the opponents of apartheid;

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<sup>2/</sup> E/CN.4/979/Add.5.

<sup>3/</sup> Appointed by the Commission on Human Rights under its resolutions 7 (XXIII) and 2 (XXIV).

<sup>4/</sup> E/CN.4/979/Add.5.

"7. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland, the administering Power in Southern Rhodesia, to repeal the illegal legislation referred to in a part of paragraph 529 of the Special Rapporteur's report and enacted by the racist and illegal minority régime in Southern Rhodesia;

"8. Deplores the refusal of the Government of the United Kingdom to suppress the racist and illegal minority régime in Southern Rhodesia and thus to restore the fundamental human rights of the people of Zimbabwe;

"9. Regrets the fact that the relevant United Nations resolutions regarding the termination of diplomatic, commercial, military, cultural and other relations with the racist Government of the Republic of South Africa and the racist and illegal minority régime in Southern Rhodesia are still not being observed by several Member States;

"10. Calls upon all those Governments which still maintain diplomatic, commercial, military, cultural and other relations with the racist Government of South Africa and with the racist and illegal minority régime in Southern Rhodesia to terminate such relations immediately in accordance with the relevant resolutions of the General Assembly and the Security Council;

"11. Requests the Secretary-General to set up a unit of the United Nations radio in Africa to produce and broadcast radio programmes to the peoples of southern Africa;

"12. Requests the Secretary-General to bring to the knowledge of competent organs of the United Nations the proposal to establish a Judicial Committee for Namibia 5/ as soon as possible;

"13. Requests the Secretary-General to seek and circulate the views of Member States on the establishment of a Judicial Committee for Namibia;

"14. Requests the Secretary-General to take steps to give the widest possible publicity to the evils of these policies, to the actions of the racist Government of South Africa, of the illegal and racist régime established in Namibia and of the racist and illegal minority régime in Southern Rhodesia, through the non-governmental organizations, trade unions, religious institutions and student and other organizations as well as libraries and schools;

"15. Urges Member States to give extensive and continuing publicity to the report and to the above policies and practices through their national publicity media;

"16. Requests the Secretary-General to report to the General Assembly at its twenty-fifth session on the implementation of the present resolution, in particular, on the action taken by the racist Government of the Republic of South Africa and the Government of the United Kingdom to give effect to paragraphs 2, 6 and 7 above;

"17. Further requests the Secretary-General to report, at the same session, on paragraph 11 above.

(b) Draft resolution concerning the situation in the Middle East

6. At the 1709th meeting, on 20 November 1969, the representative of Pakistan introduced a draft resolution (A/C.3/L.1739/Rev.1) sponsored by Congo (Brazzaville), India, Guinea, Pakistan and Yugoslavia which, as revised, read as follows:

"The General Assembly,

"Guided by the principles and purposes of the Charter of the United Nations,

"Bearing in mind the provisions of the Geneva Convention of 12 August 1949 relevant to the protection of the civilian population in times of war, and the provisions of the Universal Declaration of Human Rights,

"Recalling the humanitarian resolutions regarding the violations of human rights and fundamental freedoms in the territories occupied by Israel, especially resolutions 237 (1967), and 259 (1968) adopted by the Security Council, resolutions 6 (XXIV) and 6 (XXV) adopted by the Commission on Human Rights, and the relevant resolutions of the International Conference of Human Rights, the Economic and Social Council, UNESCO and WHO.

"Further recalling its resolutions 2252 (ES-V), 2443 (XXIII) and 2452 (XXIII),

"Concerned that the provisions of these resolutions have not been implemented by the Israeli authorities,

"Gravely alarmed by fresh reports of collective punishments, mass imprisonment, indiscriminate destruction of homes and other acts of oppression against the civilian population in the Arab territories occupied by Israel,

"1. Reaffirms its resolutions relating to the violations of human rights in the territories occupied by Israel;

"2. Expresses its grave concern at the continuing reports of violation of human rights in those territories;

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"3. Condemns such policies and practices as collective and area punishment, the destruction of homes, and the deportation of the inhabitants of the Israeli-occupied territories;

"4. Urgently calls upon the Government of Israel to desist forthwith from its repressive practices and policies towards the civilian population in the occupied territories, and to comply with its obligations under the Geneva Convention of 12 August 1949, the Universal Declaration of Human Rights and the relevant resolutions adopted by the various international organizations;

"5. Requests the Committee established under its resolution 2443 (XXIII) to take cognizance of the provisions of this resolution."

7. At the same meeting the co-sponsors orally revised operative paragraph 4 of the draft resolution and inserted the word "reported" before the words "repressive practices and policies".

(c) Draft resolution concerning the situation in southern Africa

8. At the 1712th meeting on 24 November 1969, the representative of India introduced a draft resolution (A/C.3/L.1740) sponsored by Algeria, Burundi, Congo (Brazzaville), Ethiopia, Ghana, Guinea, India, Iraq, Kenya, Libya, Mali, Mauritania, Nigeria, Rwanda, Saudi Arabia, Senegal, Syria, the Republic of Tanzania, Uganda, Yemen, Yugoslavia and Zambia. It read as follows:

"The General Assembly,

"Recalling its resolution 2396 (XXIII) which, inter alia, reaffirmed its recognition of the legitimacy of the struggle of the people of South Africa for all human rights, condemned that Government for its cruel, inhuman and degrading treatment of political prisoners and declared that captured freedom-fighters should be treated as prisoners of war under international law,

"Further recalling paragraph 1 of its resolution 2395 (XXIII) which reaffirmed the inalienable right of the peoples of the Territories under Portuguese domination to self-determination, freedom and independence, and in paragraph 12 of the same resolution called upon the Government of Portugal to ensure the application to the situation of armed conflict and inhuman treatment of prisoners, of the Geneva Convention relative to the treatment of prisoners of war, August 1949,

"Taking into account paragraph 1 of its resolution 2383 (XXIII) which reaffirmed the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle to attain that right, and

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also paragraph 13 of the same resolution which called upon the Government of the United Kingdom in view of the armed conflict prevailing in the territory and the inhuman treatment of prisoners to ensure the application of the Geneva Convention relative to the treatment of prisoners of war, August 1949,

"Also recalling its resolution 2403 (XXIII) by which it, inter alia, reiterated its condemnation of the Government of the Republic of South Africa for the latter's persistent refusal to withdraw from Namibia,

"Noting its feeling of grave concern expressed in resolution 2465 (XXIII), at the development in southern Africa of the entente between the Governments of Portugal and South Africa and the illegal minority régime in Southern Rhodesia, which, inter alia, can only result in further sufferings being inflicted upon political prisoners and detainees in prisons and in police custody as well as upon captured freedom-fighters,

"Further noting its resolution 2440 (XXIII) relating to the first report of the Ad Hoc Working Group of Experts established by resolution 2 (XXIII) of the Commission on Human Rights,

"Recalling resolution 1412 (XLVI) of the Economic and Social Council regarding the infringements of trade union rights in southern Africa,

"Determined to promote immediate and urgent action with a view to restoring the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

"1. Reaffirms its recognition of the legitimacy of the struggle by the opponents of apartheid, of racial discrimination and of Portuguese colonialism in southern Africa to realize their human rights and fundamental freedoms;

"2. Again condemns the Government of the Republic of South Africa for the inhuman and degrading treatment and torture meted out to political prisoners and detainees and to captured freedom-fighters;

"3. Further condemns that Government for its refusal to permit an impartial inquiry into the deaths of political prisoners and detainees and expresses sympathy and solidarity with the families of the deceased;

"4. Strongly censures the Government of the Republic of South Africa for its illegal occupation of Namibia, a territory under the direct responsibility of the United Nations, and for the inhuman and degrading treatment and torture of Namibian political prisoners, detainees and captured freedom-fighters;

"5. Condemns further the Government of Portugal for its inhuman and degrading treatment and torture of the political prisoners, detainees and captured freedom-fighters in Angola, Mozambique, Guinea (Bissau) and São Tomé;

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"6. Calls upon the Government of the United Kingdom, the administering authority, to reconsider its deplorable refusal to intervene in Southern Rhodesia by force and restore the human rights and fundamental freedoms of the people of Zimbabwe and in this manner, inter alia, automatically ameliorate the conditions of political prisoners, detainees and captured freedom-fighters in Southern Rhodesia;

"7. Calls upon the Government of the Republic of South Africa to observe the terms of the Geneva Convention regarding the treatment of prisoners of war, 1949;

"8. Further calls upon the Government of Portugal to observe the terms of the Geneva Convention 1949, on the Protection of Civilians in Time of War, and the Geneva Convention 1949 relative to the treatment of prisoners of war;

"9. Urges immediate action by the United Nations Council for Namibia to bring about the application of the Standard Minimum Rules for the Treatment of Prisoners, 1955, the Geneva Convention of 1949, on the Protection of Civilian Persons in Time of War and the Geneva Convention Relative to the Treatment of Prisoners of War, 1949, in Namibia, a territory under its direct responsibility;

"10. Requests the United Nations Council for Namibia to declare expressly applicable to Namibia, a territory under the direct administration of the United Nations, the international standards on trade union rights currently in force;

"11. Further requests the United Nations Council for Namibia to ensure the implementation of the provisions of paragraph 4 of the Economic and Social Council resolution 1302 (XLIV) in Namibia, and also to abolish the South West Africa Native Labour Association (SWANLA) and enable freely constituted trade unions to be established as provided for in the relevant international instruments;

"12. Requests the Secretary-General to establish, maintain and publicize an up-to-date register of persons subjected to imprisonment, detention, banishment and other restrictions for their opposition to apartheid, racial discrimination, as well as captured freedom-fighters held in the Republic of South Africa, Namibia, Southern Rhodesia, Angola, Mozambique, Guinea (Bissau) and São Tomé;

"13. Considers it desirable to enlarge the scope of the United Nations Trust Fund for South Africa to cover all persons, in the Territories of Southern Rhodesia and Namibia, persecuted under repressive and discriminatory legislation;

"14. Requests, further, the Secretary-General, in consultation with the Committee of Trustees, of the United Nations Trust Fund to make a detailed study of the possibility of enlarging the scope of that Fund to cover all affected persons who are victims of Portuguese colonial practices in Africa;

"15. Appeals to all Governments to contribute more generously to the United Nations Trust Fund for South Africa and also to voluntary organizations active in providing relief and assistance to the violations of apartheid and racial discrimination in southern Africa;

"16. Also requests the Secretary-General to report to the twenty-fifth session of the General Assembly on the implementation of this resolution by the Government of the Republic of South Africa, the Government of Portugal and the Government of the United Kingdom;

"17. Further requests the Secretary-General to report at the twenty-fifth session of the General Assembly on the action taken by the United Nations and its organs regarding paragraphs 9, 10, 11, 13 and 14 above."

9. At the same meeting the draft resolution was orally revised by the sponsors as follows:

(a) At the end of operative paragraph 6, after the words "Southern Rhodesia" the following phrase was added: "as well as to ensure the application of the relevant Geneva Conventions of 1949 to the situation prevailing in Southern Rhodesia.

(b) A new operative paragraph was inserted between paragraphs 11 and 12, reading as follows:

"Requests the Special Committee on the situation with regard to implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in discharging the tasks entrusted to it by the General Assembly, in particular with respect to those territories in southern Africa with which it is concerned, to take fully into account the relevant provisions of the present resolution;"

(c) Operative paragraphs 12 to 17 of the draft resolution were re-numbered accordingly.

(d) In operative paragraph 12 of the draft resolution, after the words "and other restrictions", the following words were inserted: "as well as of persons who have been victims of brutality".

(e) In operative paragraph 13 of the draft resolution, the words "considers it desirable to enlarge" were deleted and replaced by the following words:

"Requests the Secretary-General, in consultation with the Committee of Trustees, to study the enlarging of".

(f) In operative paragraph 17 of the draft resolution, the words "paragraphs 9, 10, 11, 13" were replaced by the words "paragraphs 9 to 16".

### III. DEBATE

10. Most representatives observed that, although important progress had been achieved in implementing the principles set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights, violations on a vast scale of human rights and fundamental freedoms continued in many parts of the world. They noted, in particular, that racism, one of the most shameful social phenomena of modern times, still plagued the international community and generally agreed that action to combat racial discrimination was one of the primary aims of the United Nations in the field of human rights. They expressed the hope that the intensified debate on this question would not merely result in an increase in the number of documents and resolutions, but that concerted efforts would be directed towards the implementation of human rights and towards practical measures that might promote this process, bridge the gap between words and deeds, and translate noble ideals and legal obligations into vivid reality.

11. Speakers strongly condemned the policies pursued by the régimes in South Africa, Namibia, Southern Rhodesia and the Territories under Portuguese domination, and many of them expressed their deep frustration at the fact that the numerous resolutions adopted by the General Assembly, the Security Council and other organs of the United Nations had remained, so far, ineffective.

12. It was recalled that, since its inception, the United Nations had striven to eliminate the various forms of racial discrimination and, in particular, the policy of apartheid, the policy of apartheid the most repugnant of all, which had repeatedly been described by the General Assembly as a crime against humanity. A large number of representatives stressed that South Africa was strengthening its heinous policy by adopting further discriminatory measures by intensifying the régime of police terror and by ill-treating political prisoners. They also indicated that the practice of apartheid was now extending beyond the frontiers of South Africa. With respect to Namibia, a Territory under United Nations responsibility, they deplored the South African régime's insistent defiance of

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United Nations decisions. In the case of Southern Rhodesia, they noted that mandatory sanctions had hitherto not brought down the white minority régime and called upon the administering Power to take more positive action. As regards the Territories under Portuguese domination, it was stated that Portugal's present degree of resistance against the forces of African nationalism was due to the massive economic and military assistance Portugal obtained from its Western allies. It was further pointed out that South Africa, with a view to perpetuating its policy, had established with Portugal and Southern Rhodesia an unholy alliance whose harmful effects, particularly in the continent of Africa, were becoming increasingly obvious. Reference was made to the recent reports submitted by the Secretary-General, by Mr. Hernán Santa Cruz, the Special Rapporteur appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by Mr. Manouchehr Ganji, the Special Rapporteur appointed by resolutions 7 (XXIII) and 2 (XXIV) of the Commission on Human Rights and by the Ad Hoc Group of Experts established by resolutions 7 (XXIII) and 2 (XXIII) of the Commission on Human Rights. These reports, it was said, unequivocally showed that the situation in the area of southern Africa was deteriorating and that the indigenous populations continued to be deprived of their basic human rights and fundamental freedoms.

13. In the view of many representatives, therefore, the efforts of the United Nations to overcome the evils of racial discrimination and intolerance in the area of southern Africa had not achieved the desired results. They felt that the United Nations should adopt more effective measures, including active support of the liberation movements, to put an end to the evils of apartheid and racial discrimination in southern Africa, which, they insisted, constituted a constant threat to the security and independence of many African nations. In this connexion, the attention of the Committee was drawn to the Manifesto on Southern Africa<sup>6/</sup> adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its sixth ordinary session, which contained an appeal to reason based on the fundamental recognition of the fact that all men were equal and had equal rights to human dignity and respect, regardless of colour or race, and to participate, as equal members of society, in their own Government.

14. In the opinion of the great majority of representatives, the point at issue at the present stage was not so much the recognition of the evil nature of apartheid as the measures needed for its elimination. In this connexion, they referred specially to the resolutions adopted by the General Assembly and other organs of the United Nations calling for the application of an arms embargo, as well as of diplomatic, military, commercial, economic and other sanctions against South Africa, and expressed the view that these measures had so far failed to achieve their objectives because a number of western Powers, in particular the major trading partners of South Africa, and the allies of Portugal, had continued to maintain all sorts of relations with these régimes in defiance of the relevant resolutions. It was essential, in their view, to discontinue that support. As regards the situation in Southern Rhodesia, many representatives deplored the fact that the United Kingdom had so far refused to consider the use of force against the illegal régime. Strict compliance by all States with the resolutions adopted by the General Assembly, they insisted, was the most effective peaceful means of overcoming the persistent defiance of the racist régimes.

15. They welcomed the draft resolution submitted by the Economic and Social Council which emphasized that aspect of the problem. Many delegations also welcomed the efforts of the Secretary-General to draw public attention to the evils of racial segregation in southern Africa and indicated their strong support of the proposed establishment of a unit of the United Nations radio service in Africa to produce and broadcast radio programmes to South Africa.

16. The representatives of the Arab States and a number of representatives of other States referred to the situation in the territories occupied by Israel in which human rights and fundamental freedoms were violated on an alarming scale. Some of them stated that Israel was pursuing in these territories a racist policy which violated the Charter of the United Nations, the principles set forth in the Universal Declaration of Human Rights and the provisions of the 1949 Geneva Conventions Relative to the Protection of Prisoners of War and to the Protection of Civilian Persons in Time of War. Zionism was compared with nazism and it was said that the two ideologies were similar for both and were based on the concept of racial exclusivism and intolerance. According to these representatives, the oppression inflicted on Arabs in the Israel-occupied territories constituted a cynical reminder of the atrocities committed by the nazis during the Second World War.

17. A number of representatives recalled several resolutions adopted by various organs of the United Nations with a view to ensuring respect for human rights in the occupied territories. They referred, in particular, to General Assembly resolution 2443 (XXIII) of 19 December 1968, to Security Council resolutions 237 (1967) and 259 (1968) and to resolutions of the Commission on Human Rights. They stressed that, like the Government of the Republic of South Africa, Israel ignored the decisions of these organs and refused to co-operate with the various committees established by the United Nations to deal with the problem. Nor had it allowed them to carry out the investigations asked for by the United Nations bodies concerned.

18. Quoting from books, newspaper articles and official reports, the representatives concerned cited specific examples in support of their statements that Israel was applying to the Arabs in the occupied territories a policy of deliberate pressure which violated their most fundamental rights and freedoms. They said among other things that Israel was resorting to an inhumane policy of collective punishment, or so-called area punishment, the systematic destruction of homes, mass deportations, torture of prisoners and detainees, and outright massacres. It was pointed out that since the 1967 war, only 30,000 of the 350,000 persons evicted from the West Bank of Jordan had been given permits to return, hundreds of Palestinians had been killed in cold blood and more than 8,000 Arab homes had been destroyed in the occupied areas. Whole communities had even been destroyed. They further emphasized that the excessive use of curfews made life intolerable for the Arab population. All those actions, they stressed, made the fourth 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War a dead letter. They condemned in the strongest terms the actions of the Government of Israel and urged the Committee to adopt effective measures to put an immediate end to such a state of affairs and compel Israel to ensure the observance of the human rights of the population it had conquered.

19. In reply to the charges thus brought against Israel, the representative of that country objected to the comparison made between zionism and nazism and stated that, on the contrary, zionism was a national liberation movement which aimed at restoring the Jewish people to freedom and independence and as such had served as a source of inspiration to certain national movements in Asia and Africa. He

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stressed that the populations in the occupied territories were receiving humane treatment despite the war being conducted against his country, that Israel had tried as far as possible to ensure the human rights of civilians in the occupied territories and had guaranteed the equality of all persons under its jurisdiction, regardless of race. He also contended that Israel had endeavoured to observe the provisions of the 1949 Geneva Convention. Israel, he added, would welcome any impartial investigation of the situation but would not accept an investigation which was preceded by a condemnation and which would not also cover the situation of Jewish inhabitants in Arab countries who had also been affected by the events in the Middle East.

20. Other delegations rejected the contention that the Zionist movement was comparable with national liberation movements and expressed the view that it was an expansionist and racist policy. They also rejected the attempts of the representative of Israel to speak on behalf of the population of Jewish faith in other countries.

21. Some representatives expressed the view that the violations of human rights in the Middle East area were the inevitable direct consequence of the conflict between Israel and the Arab States. According to them, it was necessary to support actively the efforts undertaken by the United Nations towards a peaceful settlement of the conflict. Other speakers urged an immediate withdrawal of Israel forces from the occupied territories, since in their opinion the occupation of a foreign land was by itself a grave violation of the Charter.

22. The question of the condition of the members of the United States armed forces captured in North Viet-Nam was raised in the course of the debate by the representative of the United States. She stated that North Viet-Nam, a Party to the 1949 Geneva Convention Relative to the Treatment of Prisoners of War, had grossly violated the provisions of that Convention by not safeguarding the rights of the American prisoners. The requests of the International Committee of the Red Cross and other recognized intermediaries to be allowed to visit the prisoners at their place of detention had been repeatedly denied and stressed that, for its part, the United States had accorded the status and the rights of prisoners of war under the Convention to North Viet-Nameese and Viet-Cong prisoners, even though many of them were not technically entitled to that status under the Convention.

She also referred to the resolution of the twenty-first International Conference of the Red Cross held at Istanbul in September 1969, calling upon all parties to abide by the obligations set forth in the Convention, and to the statement made by the Secretary-General of the United Nations on 30 August 1969, that North Viet-Nam ought to give an international humanitarian organization such as the League of the Red Cross Societies access to the detained Americans.

23. Referring to the statement of the representative of the United States, several representatives pointed out the specific reservations made by the Democratic Republic of Viet-Nam in acceding to the Geneva Convention that prisoners of war prosecuted for or convicted of war crimes or crimes against humanity in accordance with the principles established by the Nürnberg Tribunal would not enjoy the benefits of the Convention. Describing the conflict in Viet-Nam as one of the most cruel colonial wars of aggression, they expressed the view that the Committee was not the appropriate forum in which to raise the question, since the question of prisoners was only one aspect of the whole problem of Viet-Nam. They asserted that the Democratic Republic of Viet-Nam had always pursued a humanitarian policy and referred in this respect also to the statement submitted by the Red Cross Society of the Democratic Republic of Viet-Nam to the twenty-first International Conference of the Red Cross held in September 1969 at Istanbul. Some other representatives, while noting that military conflicts resulted in personal tragedies, felt that in time of war all governmental authorities should ensure that individuals were not subjected to unnecessary suffering.

24. In view of some of the representatives, individuals in all countries who felt that their rights had been violated should be provided with a means of transmitting their complaints to the organs of the United Nations responsible for the observance of human rights. They indicated therefore their support for the new method of dealing with human rights envisaged in resolution 17 (XXV) of the Commission on Human Rights and regretted that communications could no longer be forwarded by United Nations information centres. Some of them further expressed the view that it was important to consider as soon as possible the establishment of a post of United Nations High Commissioner for Human Rights.

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25. Other representatives, on the other hand, thought that the existing procedures provided in Economic and Social Council resolution 728 F (XXIII), which took into account the sovereignty of Member States, were adequate for dealing with communications. They also indicated their support of the Secretary-General's decision concerning the activities of the information centres and opposed any change which would prejudice international co-operation and lead only to friction and tension in international relations. In their view, the establishment of a post of United Nations High Commissioner for Human Rights would not only be ineffective but could have adverse effects on international relations and could be used as a means for interference in the internal affairs of States. They stated that they were not prepared to assume any moral or financial responsibilities if such a post was established.

#### IV. VOTING

(1) Draft resolution concerning the situation in the Middle East  
(A/C.3/L.1739/Rev.1) (see paragraph 6 above)

26. On the proposal of the representative of Pakistan, the Committee decided to give priority to the consideration of the draft resolution on the situation in the Middle East (A/C.3/L.1739/Rev.1). At its 1709th meeting, the Committee voted on the draft resolution as follows:

(a) A separate vote was taken on operative paragraph 1 at the request of the representative of Niger. The paragraph was adopted by 51 votes to 6, with 49 abstentions.

(b) A separate vote was taken on operative paragraph 5 at the request of the representative of Niger. The paragraph was adopted by 47 votes to 10, with 44 abstentions.

(c) A vote was taken by roll-call, at the request of the representative of Libya, on the draft resolution as a whole, as orally revised. The draft resolution was adopted by 51 votes to 11, with 50 abstentions (see paragraph 29 below, draft resolution I). The voting was as follows:

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In favour: Afghanistan, Albania, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, China, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Greece, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan, Syria, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yemen, Yugoslavia, Zambia.

Against: Bolivia, Dahomey, Dominican Republic, Israel, Lesotho, Liberia, Madagascar, Malawi, Rwanda, Swaziland, Uruguay.

Abstaining: Argentina, Australia, Austria, Barbados, Belgium, Brazil, Burma, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Democratic Republic of), Costa Rica, Denmark, Ecuador, Ethiopia, Finland, France, Gabon, Ghana, Guyana, Haiti, Honduras, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Laos, Luxembourg, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Portugal, Sierra Leone, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela.

(2) Draft resolution relating to the situation in southern Africa  
(A/C.3/L.1740) (see paragraph 8 above)

27. At its 1712th meeting, the Committee voted on the draft resolution as follows:

(a) A separate vote was taken by roll call, at the request of the representative of Costa Rica, on operative paragraph 5. The paragraph was adopted by 68 votes to 4, with 27 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Barbados, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chad, China, Congo (Brazzaville), Congo (Democratic Republic of), Cuba, Cyprus, Czechoslovakia, Dahomey, Ecuador, Ghana, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yugoslavia, Zambia.

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Against: Brazil, Portugal, Spain, Uruguay.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Canada, Chile, Costa Rica, Denmark, Dominican Republic, Finland, France, Gabon, Greece, Guatemala, Ireland, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Sweden, Thailand, Turkey, Venezuela.

(b) A separate vote was taken by roll-call, at the request of the representative of Costa Rica, on operative paragraph 6. The paragraph was adopted by 54 votes to 15 with 27 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, China, Congo (Brazzaville), Congo (Democratic Republic of), Czechoslovakia, Dahomey, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yugoslavia, Zambia.

Against: Australia, Belgium, Canada, Denmark, Finland, France, Iceland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, Uruguay.

Abstaining: Argentina, Austria, Barbados, Bolivia, Brazil, Chile, Costa Rica, Cuba, Cyprus, Dominican Republic, Ecuador, Gabon, Greece, Guatemala, Honduras, Ireland, Israel, Japan, Laos, Mexico, Nicaragua, Peru, Spain, Thailand, Trinidad and Tobago, Turkey, Venezuela.

(c) A separate vote was taken by roll-call at the request of the representative of Brazil, on operative paragraph 15 (former paragraph 14 of the draft resolution as introduced by the sponsors). The paragraph was adopted by 95 votes to 2, with 5 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Barbados, Belgium, Bolivia, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, Finland, France, Gabon, Ghana, Guatemala, Guinea, Honduras,

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Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Sweden, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Brazil, Portugal.

Abstaining: Australia, Greece, Luxembourg, Spain, Thailand.

(d) A vote was taken by roll-call, at the request of the representative of Algeria, on the draft resolution as a whole, as orally revised. The draft resolution, as a whole, as orally revised, was adopted by 76 votes to 1, with 25 abstentions (see paragraph 29 below, draft resolution II A). The voting was as follows:

In favour: Afghanistan, Algeria, Barbados, Bolivia, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, China, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nicaragua, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Uruguay, Yugoslavia, Zambia.

Against: Portugal.

Abstaining: Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, Denmark, Finland, France, Gabon, Iceland, Ireland, Italy, Laos, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Spain, Sweden, Thailand, Venezuela.

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(3) Resolution recommended by the Economic and Social Council (see paragraph 5 above)

28. At its 1713th meeting, the Committee voted on the draft resolution recommended by the Economic and Social Council in resolution 1415 (XLVI), as follows:

(a) A separate vote was taken at the request of the representative of Argentina, on the sixth preambular paragraph. The paragraph was adopted by 75 votes to 13, with 11 abstentions.

(b) A separate vote was taken, at the request of the representative of Argentina on the seventh preambular paragraph. The paragraph was adopted by 73 votes to 9, with 17 abstentions.

(c) A separate vote was taken, at the request of the representative of Argentina, on operative paragraph 9. The paragraph was adopted by 73 votes to 16, with 9 abstentions.

(d) A separate vote was taken on operative paragraph 10, at the request of the representative of Argentina. The paragraph was adopted by 60 votes to 13, with 13 abstentions in a roll-call vote requested by the representative of Libya. The voting was as follows:

In favour: Afghanistan, Algeria, Barbados, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Ghana, Guatemala, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Liberia, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Venezuela, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Bolivia, Brazil, Chile, China, Colombia, Israel, Japan, Mexico, Panama, Spain, Thailand, Uruguay.

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(e) A separate vote was taken, at the request of the representative of the United Kingdom, on operative paragraph 11. The paragraph was adopted by 69 votes to 8, with 23 abstentions, in a roll-call vote requested by the representative of Somalia. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Barbados, Bolivia, Brazil, Burma, Burundi, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville); Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Dahomey, Dominican Republic, Ecuador, Ghana, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Syria, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Australia, Belgium, France, Netherlands, New Zealand, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Mongolia, Norway, Panama, Poland, Romania, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

(f) A separate vote was taken, at the request of the representative of the Ukrainian SSR on operative paragraph 12. The paragraph was adopted by 69 votes to 1, with 22 abstentions.

(g) A separate vote was taken, at the request of the representative of the Ukrainian SSR, on operative paragraph 13. The paragraph was adopted by 75 votes to 1, with 20 abstentions.

(h) The draft resolution, as a whole, as revised, was adopted by 79 votes to 1, with 20 abstentions (see paragraph 29 below, draft resolution II B).

#### V. RECOMMENDATIONS OF THE THIRD COMMITTEE

29. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

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DRAFT RESOLUTION I

RESPECT FOR AND IMPLEMENTATION OF HUMAN RIGHTS IN OCCUPIED TERRITORIES

The General Assembly,

Guided by the principles and purposes of the Charter of the United Nations,

Bearing in mind the provisions of the Geneva Convention of 12 August 1949

Relative to the Protection of Civilian Persons in Time of War, and the provisions of the Universal Declaration of Human Rights,

Recalling the humanitarian resolutions regarding the violations of human rights and fundamental freedoms in the territories occupied by Israel, especially Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968, resolutions 6 (XXIV) and 6 (XXV) adopted by the Commission on Human Rights, and the relevant resolutions of the International Conference of Human Rights, the Economic and Social Council, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization,

Further recalling its resolutions 2252 (ES-V) of 4 July 1967 and 2443 (XXIII) and 2452 (XXIII) of 19 December 1968,

Concerned that the provisions of these resolutions have not been implemented by the Israeli authorities,

Gravely alarmed by fresh reports of collective punishments, mass imprisonment, indiscriminate destruction of homes and other acts of oppression against the civilian population in the Arab territories occupied by Israel,

1. Reaffirms its resolutions relating to the violations of human rights in the territories occupied by Israel;

2. Expresses its grave concern at the continuing reports of violation of human rights in those territories;

3. Condemns such policies and practices as collective and area punishment, the destruction of homes and the deportation of the inhabitants of the Israeli-occupied territories;

4. Urgently calls upon the Government of Israel to desist forthwith from its reported repressive practices and policies towards the civilian population in the occupied territories and to comply with its obligations under the Geneva Convention of 12 August 1949, the Universal Declaration of Human Rights and the relevant resolutions adopted by the various international organizations;

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5. Requests the Committee established under its resolution 2443 (XXIII) to take cognizance of the provisions of the present resolution.

DRAFT RESOLUTION II

MEASURES FOR EFFECTIVELY COMBATING RACIAL DISCRIMINATION, THE  
POLICIES OF APARTHEID AND SEGREGATION IN SOUTHERN AFRICA

A

The General Assembly,

Recalling its resolution 2396 (XXIII) of 2 December 1968 by which, it inter alia, reaffirmed its recognition of the legitimacy of the struggle of the people of South Africa for all human rights, condemned the Government of South Africa for its cruel, inhuman and degrading treatment of political prisoners and declared that captured freedom-fighters should be treated as prisoners of war under international law,

Further recalling paragraph 1 of its resolution 2395 (XXIII) of 29 November 1968, by which it reaffirmed the inalienable right of the peoples of the Territories under Portuguese domination to self-determination, freedom and independence, and, in paragraph 12 of the same resolution, called upon the Government of Portugal to ensure the application, to the situation of armed conflict and inhuman treatment of prisoners, of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949,

Taking into account paragraph 1 of its resolution 2383 (XXIII) of 7 November 1968 by which it reaffirmed the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle to attain that right, and also paragraph 13 of the same resolution by which it called upon the Government of the United Kingdom of Great Britain and Northern Ireland, in view of the armed conflict prevailing in the Territory and the inhuman treatment of prisoners, to ensure the application of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949,

Also recalling its resolution 2403 (XXIII) of 16 December 1968, by which it, inter alia, reiterated its condemnation of the Government of South Africa for the latter's persistent refusal to withdraw from Namibia,

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Noting the feeling of grave concern, expressed in its resolution 2465 (XXIII) of 20 December 1968, at the development in southern Africa of the entente between the Governments of Portugal and South Africa and the illegal minority régime in Southern Rhodesia, which, inter alia, can only result in further sufferings being inflicted upon political prisoners and detainees in prisons and in police custody as well as upon captured freedom fighters,

Further noting its resolution 2440 (XXIII) of 19 December 1968 relating to the first report of the Ad Hoc Working Group of Experts<sup>7/</sup> established by resolution 2 (XXIII) of 6 March 1967 of the Commission on Human Rights,

Recalling Economic and Social Council resolution 1412 (XLVI) of 6 June 1969 regarding the infringements of trade union rights in southern Africa,

Determined to promote immediate and urgent action with a view to restoring the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

1. Reaffirms its recognition of the legitimacy of the struggle by the opponents of apartheid, of racial discrimination and of Portuguese colonialism in southern Africa to realize their human rights and fundamental freedoms;

2. Again condemns the Government of South Africa for the inhuman and degrading treatment and torture meted out to political prisoners and detainees and to captured freedom-fighters;

3. Further condemns the Government of South Africa for its refusal to permit an impartial inquiry into the deaths of political prisoners and detainees, and expresses sympathy and solidarity with the families of the deceased;

4. Strongly censures the Government of South Africa for its illegal occupation of Namibia, a territory under the direct responsibility of the United Nations, and for the inhuman and degrading treatment and torture of Namibian political prisoners, detainees and captured freedom fighters;

5. Condemns further the Government of Portugal for its inhuman and degrading treatment and torture of the political prisoners, detainees and captured freedom-fighters in Angola, Mozambique, Guinea (Bissau) and São Tomé;

6. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland, the Administering Authority, to reconsider its deplorable refusal to intervene in Southern Rhodesia by force and restore the human rights and fundamental freedoms of the people of Zimbabwe and in this manner, inter alia, automatically ameliorate the conditions of political prisoners, detainees and captured freedom-fighters in Southern Rhodesia, as well as to ensure the application of the relevant Geneva Conventions of 1949 to the situation prevailing in Southern Rhodesia;

7. Calls upon the Government of South Africa to observe the terms of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949;

8. Further calls upon the Government of Portugal to observe the terms of the Geneva Convention on the Protection of Civilians in Time of War, and the Geneva Convention relative to the Treatment of Prisoners of War, both of 12 August 1949;

9. Urges immediate action by the United Nations Council for Namibia to bring about the application of the Standard Minimum Rules for the Treatment of Prisoners, 1955, the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Geneva Convention relative to the Treatment of Prisoners of War both of 12 August 1949, in Namibia, a territory under its direct responsibility;

10. Requests the United Nations Council for Namibia to declare expressly applicable to Namibia, a territory under the direct administration of the United Nations, the international standards on trade union rights currently in force;

11. Further requests the United Nations Council for Namibia to ensure the implementation of the provisions of paragraph 4 of Economic and Social Council resolution 1302 (XLIV) in Namibia, and also to abolish the South West Africa Native Labour Association and enable freely constituted trade unions to be established as provided for in the relevant international instruments;

12. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in discharging the tasks entrusted to it by the General Assembly, in particular with respect to those Territories in southern Africa with which it is concerned, to take fully into account the relevant provisions of the present resolution;

13. Requests the Secretary-General to establish, maintain and publicize an up-to-date register of persons subjected to imprisonment, detention, banishment and other restrictions, as well as of persons who have been victims of brutality, for their opposition to apartheid and racial discrimination, as well as captured freedom-fighters held in the Republic of South Africa, Namibia, Southern Rhodesia, Angola, Mozambique, Guinea (Bissau) and São Tomé;

14. Requests the Secretary-General, in consultation with the Committee of Trustees, to study the question of enlarging the scope of the United Nations Trust Fund for South Africa to cover all persons, in the Territories of Southern Rhodesia and Namibia, persecuted under repressive and discriminatory legislation;

15. Further requests the Secretary-General, in consultation with the Committee of Trustees of the United Nations Trust Fund for South Africa, to make a detailed study of the possibility of enlarging the scope of that Fund to cover all affected persons who are victims of Portuguese colonial practices in Africa;

16. Appeals to all Governments to contribute more generously to the United Nations Trust Fund for South Africa and also to voluntary organizations active in providing relief and assistance to the victims of the violations of apartheid and racial discrimination in southern Africa;

17. Also requests the Secretary-General to report to the General Assembly at its twenty-fifth session on the implementation of the present resolution by the Government of South Africa, the Government of Portugal and the Government of the United Kingdom of Great Britain and Northern Ireland;

18. Further requests the Secretary-General to report to the General Assembly at its twenty-fifth session on the action taken by the United Nations and its organs regarding paragraphs 9 to 16 above.

B

MEASURES FOR EFFECTIVELY COMBATING RACIAL DISCRIMINATION, THE  
POLICIES OF APARTHEID AND SEGREGATION IN SOUTHERN AFRICA

The General Assembly,

Having considered the recommendation of the Economic and Social Council contained in its resolution 1415 (XLVI) of 6 June 1969,

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Recalling its resolution 2144 A (XXI) of 26 October 1966, in which it invited the Economic and Social Council and the Commission on Human Rights to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they may occur,

Recalling also its resolution 2145 (XXI) of 27 October 1966, by which it terminated South Africa's Mandate over Namibia, formerly known as South West Africa, and its resolution 2248 (S-V) of 19 May 1967, by which it decided to establish the United Nations Council for Namibia,

Taking into account, in particular, the relevant resolutions of the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights on the problem of apartheid and on the elimination of all forms of racial discrimination in southern Africa,

Alarmed by the evidence of gross and systematic violations of human rights and fundamental freedoms in South Africa, Namibia and Southern Rhodesia,

Considering that the Governments and the illegal minority racist régimes in southern Africa continue to enjoy political, commercial, military, economic and cultural relations with many States, in disregard of previous resolutions of the General Assembly and specifically of paragraphs 5 and 6 of resolution 2439 (XXIII) of 19 December 1968,

Further considering that the existence of such relations contributes to the perpetuation and intensification of the barbarous policies of apartheid, racial discrimination and colonialism in southern Africa,

Convinced that the gross and systematic violations of human rights and fundamental freedoms in southern Africa are of serious international concern and require urgent and effective action by the United Nations,

1. Endorses the recommendations contained in the report of the Special Rapporteur;<sup>8/</sup>

2. Calls upon the Government of South Africa to repeal the various discriminatory laws cited in paragraph 529 of the Special Rapporteur's report and to assist the United Nations in restoring the human rights of the inhabitants of Namibia by immediately putting an end to its illegal occupation of Namibia;

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<sup>8/</sup> E/CN.4/979/Add.5. The Special Rapporteur was appointed by the Commission on Human Rights under its resolutions 7 (XXIII) and 2 (XXIV).

3. Condemns the racist Government of South Africa for its perpetuation and further intensification of the inhuman policy of apartheid in complete and flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and for its continuing affront and insult to the human conscience;

4. Condemns the Government of South Africa for enacting the Development of Self-Government for Native Nations in South West Africa Act, 1968 and the Library Ordinance, section 19;

5. Further condemns the racist Government of South Africa for intensifying the policy of apartheid in Namibia, a territory under United Nations administration and illegally occupied by the Government of South Africa;

6. Calls upon the Government of South Africa to rescind immediately the "banning orders" issued under the Suppression of Communism Act against the opponents of apartheid;

7. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland, the administering Power in Southern Rhodesia, to repeal the illegal legislation referred to in a part of paragraph 529 of the Special Rapporteur's report and enacted by the racist and illegal minority régime in Southern Rhodesia;

8. Deplores the refusal of the Government of the United Kingdom to suppress the racist and illegal minority régime in Southern Rhodesia and thus to restore the fundamental human rights of the people of Zimbabwe;

9. Regrets the fact that the relevant United Nations resolutions regarding the termination of diplomatic, commercial, military, cultural and other relations with the racist Government of the Republic of South Africa and the racist and illegal minority régime in Southern Rhodesia are still not being observed by several Member States;

10. Calls upon all those Governments which still maintain diplomatic, commercial, military, cultural and other relations with the racist Government of South Africa and with the racist and illegal minority régime in Southern Rhodesia to terminate such relations immediately in accordance with the relevant resolutions of the General Assembly and the Security Council;

11. Requests the Secretary-General to set up a unit of the United Nations radio in Africa to produce and broadcast radio programmes to the peoples of southern Africa;

12. Requests the Secretary-General to bring to the knowledge of competent organs of the United Nations the proposal to establish a Judicial Committee for Namibia<sup>2/</sup> as soon as possible;

13. Requests the Secretary-General to seek and circulate the views of Member States on the establishment of a Judicial Committee for Namibia;

14. Requests the Secretary-General to take steps to give the widest possible publicity to the evils of these policies, to the actions of the racist Government of South Africa, of the illegal and racist régime established in Namibia and of the racist and illegal minority régime in Southern Rhodesia, through the non-governmental organizations, trade unions, religious institutions and student and other organizations as well as libraries and schools;

15. Urges Member States to give extensive and continuing publicity to the report and to the above policies and practices through their national publicity media;

16. Requests the Secretary-General to report to the General Assembly at its twenty-fifth session on the implementation of the present resolution, in particular, on the action taken by the racist Government of the Republic of South Africa and the Government of the United Kingdom to give effect to paragraphs 2, 6 and 7 above;

17. Further requests the Secretary-General to report, at the same session, on paragraph 11 above.