



General Assembly

Distr.
GENERAL

A/40/465
29 July 1985
ENGLISH
ORIGINAL: ARABIC/ENGLISH/
FRENCH

Fortieth session
Agenda item 93 of the provisional agenda*

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

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 3	3
II. SUMMARY OF ACTION TAKEN BY THE COMMISSION ON HUMAN RIGHTS AT ITS FORTY-FIRST SESSION AND BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FIRST REGULAR SESSION OF 1985	4 - 7	4
III. SUMMARIES OF REPLIES RECEIVED FROM GOVERNMENTS		5
Barbados		5
Qatar		6
Turkey		8
IV. SUMMARIES OF REPLIES RECEIVED FROM SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS OF THE UNITED NATIONS SYSTEM		8
International Labour Organisation		8

* A/40/150.

CONTENTS (continued)

	<u>Page</u>
Food and Agriculture Organization of the United Nations	8
International Civil Aviation Organization	13
World Health Organization	13
Universal Postal Union	14
International Maritime Organization	15
International Atomic Energy Agency	15
V. SUMMARIES OF REPLIES RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS	16
Inter-Parliamentary Union	16
World Council of Churches	16

I. INTRODUCTION

1. In its resolution 39/18 of 23 November 1984, the General Assembly, inter alia, reaffirmed that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination was a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promoting of such rights. The Assembly requested 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. It requested the Secretary-General to report on that issue to the Assembly at its fortieth 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."

2. In its resolution 39/17 of 23 November 1984, the General Assembly, inter alia, reaffirmed the legitimacy of the struggle of peoples for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle; reaffirmed that the practice of using mercenaries against sovereign States and national liberation movements constituted a criminal act and called 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; called for a substantial increase in all forms of assistance given by all States, United Nations organs, specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid through their national liberation movements recognized by the Organization of African Unity; expressed its appreciation for the material and other forms of assistance that peoples under colonial régimes continued to receive from Governments, organizations of the United Nations system and intergovernmental organizations and called for a substantial increase in that assistance; and decided to consider that item again at its fortieth session on the basis of the reports that Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations had been requested to submit concerning the strengthening of assistance to colonial territories and peoples.

3. The present report contains (a) a summary of action taken by the Commission on Human Rights at its forty-first session pursuant to General Assembly resolution 39/18 and by the Economic and Social Council at its first regular session of 1985, (b) summaries of replies received from Governments, (c) summaries of replies received from specialized agencies and (d) summaries of replies received from non-governmental organizations on action taken pursuant to Assembly resolution 39/17. Any additional replies will be summarized in an addendum to the present document.

8. Other measures taken at the domestic level to isolate South Africa include:
- (a) Being a party to the Gleneagles Agreement of 1977 which discourages contact and competition with any South African sporting organization;
 - (b) Adoption of Importation and Exportation of Goods (Union of South Africa Prohibition) Order 1960 on 23 August 1960, by which all trading relations with South Africa were banned with effect from 1 September 1960;
 - (c) Adoption of the British Preferential Tariff (Amendment) Order, 1962, by which the "Union of South Africa including South West Africa" was deleted from the schedule of countries to which preferential tariff rates would apply in respect of trade with Barbados;
 - (d) Adoption of the Importation and Exportation of Goods (Prohibition) Regulations 1971 imposing an absolute ban on trade with South Africa and Rhodesia.
9. The Government of Barbados supports the recognition of SWAPO by the United Nations as the authentic and sole representative of the Namibian people until such time as fair and free elections under the supervision and control of the United Nations produces an elected government. In this respect, Security Council resolutions 431 (1978) and 432 (1978) regarding the achievement of sovereignty and territorial integrity in Namibia are fully supported by the Barbados Government.
10. Barbados has in addition given material support to the liberation movements and to the popular movement struggling for the establishment of human rights in South Africa and Namibia.
11. The Government of Barbados has constantly tried to keep the public aware of the evils and the need to eradicate the wicked colonial and racist system of apartheid. Each year it unfailingly commemorates such days as Namibia Day, Human Rights Day, International Day for the Elimination of Racial Discrimination, International Day of Solidarity with the Struggling People of South Africa and any other events which seek to publicize and condemn the atrocities of apartheid.
12. Barbados has co-operated fully with the United Nations Council for Namibia and with 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 the performance of their mandate.

QATAR

[Original: Arabic]

[21 May 1985]

1. The State of Qatar believes that the process of the achievement of independence by the countries of the third world, particularly on the African continent, has been accompanied by an increase in the activities of mercenaries,

/...

and that colonialist circles have recruited and used mercenaries to impede that process and to threaten the independence and territorial integrity of newly independent States.

2. Apart from being a criminal act, the use of mercenaries also constitutes interference in the internal affairs of States, a violation of the right of peoples to self-determination and a threat to international peace and security. The State of Qatar believes that the drafting and early adoption of an international convention prohibiting the practice of using mercenaries would represent a major contribution to the progressive development of international law.

3. With regard to the responsibility of States that support or participate in the recruitment or training of mercenaries, it must be clearly stipulated that States are under an obligation to prevent the activity in their territory of individuals, groups or organizations that are involved in the recruitment or training of mercenaries with a view to overthrowing Governments or political régimes. Furthermore, a clear distinction must be made between mercenaries who do not enjoy the status of combatants or prisoners of war under article 47 of the First Additional Protocol to the Geneva Conventions, and who are therefore regarded as professional assassins not entitled to international immunity, and freedom fighters serving with national liberation movements.

4. The State of Qatar believes that an international convention against the recruitment, use, financing and training of mercenaries should deal with the question of engagement in such activities in peace-time as well as during periods of armed conflict. The term "mercenary" must be defined and provision must be made for the prevention and effective punishment of the crime of engagement in mercenary activities. The convention must deal not only with the persons and bodies engaged in this criminal act but also with those who, by their positive or negative attitude, assist in or encourage its commission. The responsibility of States must also be defined and stipulated in an appropriate manner, paying due regard to the firmly established and universally recognized principles of international law concerning the criminal liability of individuals and the responsibilities of States and international legal institutions in respect of matters such as extradition and the notification of proceedings taken against criminals. Finally, there is a need for criminals to be treated, in a humanitarian manner consistent with all of the modern and generally accepted standards governing the administration of criminal justice.

5. Article 5 of the Provisional Constitution of the State of Qatar affirms that the foreign policy of the State shall aim at strengthening the ties of friendship with all Islamic States and peoples in particular, and with all peace-loving States and peoples in general, on a basis of mutual respect, common interest and non-interference in internal affairs. Article 5 also stipulates that the State shall adhere to the principles of the Charter of the United Nations, which advocate the right of peoples to self-determination, the development of international co-operation for the benefit of all mankind and the promotion of peace and security throughout the world, and which encourage States to settle their disputes by peaceful means and to conduct their mutual relations on a basis of justice and equality in accordance with the principles of international law.

7. Under the project "Training for Food Distribution", FAO provided \$US 107,000 under the Technical Co-operation Programme (TCP) to support, within the Nationhood Programme for Namibia, a three-month training course in 1981 for 20 Namibian women working in SWAPO refugee camps in Zambia and Angola. Subsequently, some of the trainees undertook a study tour of group feeding programmes in the United Republic of Tanzania and in Botswana. Outside the formal framework of the Nationhood Programme, FAO made a further allocation of \$US 30,000 under TCP for a two-week workshop attended by 20 Namibian women to evaluate the effectiveness and relevance of the training provided under the above project and for the preparation of materials for use by the trainees in future courses to be organized by them in SWAPO camps. Funds amounting to \$US 6,300 have been mobilized under the FAO Freedom from Hunger Campaign/Action for Development to train cooks and supply basic items for a SWAPO pre-school day care centre in Zambia. The SWAPO Women's Council is proposing for UNDP/FAO assistance (\$US 480,000) a two-year nutrition education project to upgrade the skills of over 200 leaders and trainers of women and children in SWAPO settlements in Angola and Zambia.

8. In 1982, a course was conducted at Mazimba/Morogoro, United Republic of Tanzania, for 30 ANC staff with funding amounting of \$US 24,000 provided under TCP. Assistance amounting to \$US 38,000 has been approved under the FAO Freedom from Hunger Campaign/Action for Development for two additional courses for staff responsible for running day-care centres in ANC camps. In 1983, FAO allocated \$US 75,000 under the TCP in assistance for a workshop on similar lines for PAC personnel.

9. In addition to projects funded under TCP, considerable other support has been given from the FAO regular budget to nutrition-related training activities of the movements. In 1980, a three-week workshop on nutrition, child care, appropriate technology and survey techniques was organized for women leaders of the three national liberation movements. Since July 1983, FAO's regular budget has provided for a nutrition officer outposted in Lusaka, for full-time assistance to the national liberation movements in the field of nutrition training. Major activities so far carried out with the direct assistance of the officer, include:

(a) A four-day workshop on production of vegetables and nutrition education, which was attended by 110 Namibian women and school girls in Zambia;

(b) A one-week workshop on nutrition and management of group feeding, attended by 15 SWAPO and ANC pre-school teacher trainers;

(c) A three-week workshop on nutrition, child care and management of group feeding, attended by 48 SWAPO women supervisors from Angola;

(d) In-service training courses and workshops for 200 SWAPO settlement leaders, supervisors and trainers in Angola and Zambia.

10. In July 1983, a two-year project was initiated with financing by Deutsche Welthungerhilfe of the Federal Republic of Germany (\$US 38,000). The purpose of the project is to provide the ANC day-care centre assistance in the United Republic of Tanzania and Zambia with basic knowledge and skills in nutrition, food production, storage and preservation, child care and proper child feeding, and to

provide nutrition education for camp residents. The project is helping to plan and run two practical training courses for this purpose, on the basis of a study of nutrition needs at ANC camps.

Support for pre-school children centre in SWAPO refugee camp, Nyamgo, Zambia

11. This project aims at providing urgently needed help for the pre-school children's day-care centre in the SWAPO refugee camp at Nyamgo. Training of cooks and supplies of basic items of kitchen, classroom and nursery equipment for the 700 children in the camp are immediate requirements. The project is implemented through the SWAPO Women's Council in close collaboration with the FAO office in Lusaka.

12. The project was initiated in April 1984 and has a duration of one year. It will be followed by a more comprehensive programme to promote productive activities by women in the camp. The initial project is funded by the Cooperazione per lo Sviluppo dei Paesi Emergenti of Italy for a total of \$US 6,300.

Fellowships in food economics, food science nutrition

13. Fellowships are under way for degree/diploma courses for a small group of Namibian professionals in agricultural economics, food technology, food analysis, nutrition and nutrition extension. The cost of the fellowships is borne by the United Nations Trust Fund for Namibia under the Namibia Nationhood Programme.

High-level fisheries fellowships

14. Two Namibians have received diploma-level training in all aspects of fisheries management under the first phase of this project. The second phase, approved in 1983, provides for six more Namibians. The fellowships are funded by UNDP within the Namibia Nationhood Programme.

C. Support for food production

Assistance to the ANC Comprehensive Educational Training Community Scheme, Solomon Mahlangu Freedom College (SOMAFCO), Morogoro, United Republic of Tanzania

15. FAO participated as an associated agency in a UNDP-funded and UNESCO-executed project of assistance to SOMAFCO. FAO participation, costing about \$US 138,000 over two years (1980/81), consisted in the provision of agricultural training and other technical assistance to promote food self-sufficiency for the ANC refugee population settled in the area of the College. A further phase of this project, with a larger agricultural component (\$US 430,000) has been proposed for UNDP funding.

16. Additional resources have been mobilized with the assistance of the FAO Freedom from Hunger Campaign/Action for Development Programme to enable the establishment by ANC of a dairy enterprise at SOMAFCO and the provision of related training so as, in particular, to ensure adequate milk consumption by children and pregnant women among the refugee community. This is a bilateral project funded by

the refugees in Africa, to the front-line States, Lesotho and Swaziland, as well as to the Palestinian people.

2. The thirty-eighth World Health Assembly in its resolution WHA38.28 requested WHO to continue to take appropriate and timely measures to help the front-line States, Lesotho and Swaziland, solve the acute health problems of the Namibian and South African refugees; and to provide countries which are or have been targets of destabilization by South Africa with health assistance, health personnel, pharmaceutical products and financial assistance for their national health programmes and for such special health programmes as are necessary for the rehabilitation of their damaged health infrastructures.

3. In its resolution WHA38.15 the thirty-eighth World Health Assembly requested the Director-General to help the Palestinian people and their health institutions to promote primary health care inside and outside the occupied Palestinian territories, by developing sufficient health and social services, and the training of health personnel, in order to reach health for all by the year 2000.

4. WHO, through its Regional Office for Africa, the WHO liaison officer with OAU based in Ethiopia, the United Nations Economic Commission for Africa, and the WHO programme co-ordinators in Angola, the United Republic of Tanzania and Zambia, maintains close contact with the national liberation movements recognized by OAU with a view to meeting their health needs.

5. WHO is also continuing to assist in the improvement of the health situation of the Palestinian people. WHO continued its close collaboration with UNRWA through which assistance is provided in the fields of child health, diarrhoeal diseases control, immunization and environmental health.

UNIVERSAL POSTAL UNION

[Original: French]

[1 April 1985]

Support for the Namibian people

1. In 1981, two project documents were prepared by the International Bureau, one concerned with strengthening postal administration structures and the other with staff training. The English versions of the project documents were addressed to the United Nations Commissioner for Namibia and the UNDP Regional Director for Africa. The Universal Postal Union (UPU) is still willing to implement these projects, which involve several grants, postal equipment and the recruitment of international staff as experts and volunteers.

Support for the Palestinian people

2. For 1986-1990 UPU has programmed two four-year training grants in the amount of \$48,000 for the Damascus Arab Postal Faculty.

INTERNATIONAL MARITIME ORGANIZATION

[Original: English]

[1 April 1985]

The measures undertaken by the International Maritime Organization (IMO) aimed at the implementation of General Assembly resolutions on self-determination are as follows:

(a) The resolutions and recommendations of the General Assembly concerning implementation of the Declaration are reported routinely to the Council of IMO for information and action, as appropriate;

(b) IMO maintains co-operative relations with the Organization of African Unity (OAU) within the framework of a co-operation agreement concluded on 21 February 1974. Under these arrangements, IMO and OAU are expected to consult each other in respect of co-operation, including assistance in appropriate fields to the newly independent countries and to the peoples of the countries still fighting for their independence. In the implementation of the Agreement, consultations have been held on possible provision of maritime training to refugees from African countries fighting for their independence;

(c) IMO is co-operating with the Council and the United Nations High Commissioner for Namibia in two projects entitled "Transport survey for Namibia" and "Maritime training and harbour survey";

(d) The IMO Assembly and the Council have decided that national liberation movements recognized by OAU should be invited to attend as observers at IMO meetings and conferences and invitations to such meetings and conferences are sent to the liberation movements concerned.

INTERNATIONAL ATOMIC ENERGY AGENCY

[Original: English]

[5 March 1985]

The Agency informed the Secretary-General that it had taken note of General Assembly resolution 39/17 and, in particular, its paragraphs 22, 25, 30, 32 and 37 containing recommendations to the specialized agencies and other competent organizations of the United Nations system.

/...

V. SUMMARIES OF REPLIES RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

INTER-PARLIAMENTARY UNION

[Original: English]

[5 March 1985]

In response to the communication sent by the Secretary-General, the Inter-Parliamentary Union submitted the text of the resolution adopted by the seventy-second Inter-Parliamentary Conference in September 1984, entitled "The contribution of Parliaments to the elimination of colonialism, racism, racial and ethnic discrimination, especially the apartheid régime in South Africa, and for the termination of the illegal occupation of Namibia by that country".

WORLD COUNCIL OF CHURCHES

[Original: English]

[28 February 1985]

The World Council of Churches, through its Commission of the Churches on International Affairs, has regularly submitted information to and has intervened on several occasions in the competent United Nations bodies dealing with this question. The World Council of Churches in 1984 made the following grants from the Special Fund of its Programme to Combat Racism as a sign of its solidarity with the peoples' struggle for self-determination and decolonization:

African National Congress	\$US 70 000
Pan Africanist Congress of Azania	30 000
South West Africa People's Organization	100 000
Independent Front of New Caledonia	8 000

Notes

1/ See Official Records of the Economic and Social Council, 1985, Supplement No. 2 (E/1985/22-E/CN.4/1985/66), chap. II.

2/ Official Records of the Economic and Social Council, 1985, Supplement No. 2 (E/1985/22-E/CN.4/1985/66).
