

*Taking note* of paragraphs 26, 27 and 52 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,<sup>51</sup>

1. *Strongly reaffirms* its rejection of those provisions of the accords which ignore, infringe, violate or deny the inalienable rights of the Palestinian people, including the right of return, the right of self-determination and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations and the principles of international law, and which envisage and condone continued Israeli occupation of the Palestinian territories occupied by Israel since 1967, including Jerusalem;

2. *Expresses its strong opposition* to all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the Charter and the resolutions adopted in the various international forums on the Palestinian issue, as well as the principles of international law, and declares that all agreements and separate treaties have no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967, including Jerusalem;

3. *Declares* that no State has the right to undertake any actions, measures or negotiations that could affect the future of the Palestinian people, its inalienable rights and the occupied Palestinian territories without the participation of the Palestine Liberation Organization on an equal footing, in accordance with the relevant resolutions of the United Nations, rejects all such actions, measures and negotiations, and considers all such actions, measures and negotiations as a flagrant violation of the inalienable rights of the Palestinian people;

4. *Decides* that all actions, measures and negotiations to implement or execute such accords and agreements, or any part thereof, are null and void in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967, including Jerusalem.

93rd plenary meeting  
10 December 1981

### 36/121. Question of Namibia

#### A

#### SITUATION IN NAMIBIA RESULTING FROM THE ILLEGAL OCCUPATION OF THE TERRITORY BY SOUTH AFRICA

##### *The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia<sup>56</sup> and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>57</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

*Recalling*, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971,<sup>58</sup>

delivered in response to the request addressed to it by the Council in its resolution 284 (1970) of 29 July 1970,

*Recalling also* its resolutions 3111 (XXVIII) of 12 December 1973, and 31/146 and 31/152 of 20 December 1976, by which it, *inter alia*, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981,

*Taking into consideration* resolution CM/Res. 853 (XXXVII) on Namibia adopted by the Council of Ministers of the Organization of African Unity at its thirty-seventh ordinary session, held at Nairobi from 15 to 26 June 1981,<sup>60</sup> and endorsed by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, as well as decisions of the Organization of African Unity reaffirming the unequivocal support of member States for the just armed struggle of liberation waged by the Namibian people under the leadership of the South West Africa People's Organization, the sole legitimate and genuine representative of the Namibian people,

*Strongly condemning* France, the United Kingdom of Great Britain and Northern Ireland and the United States of America for their collusion with the South African racists as manifested in the triple vetoes in the Security Council, where the majority of the world body demonstrated its determination to adopt concrete political and economic measures aimed at isolating terrorist South Africa in order to compel it to vacate Namibia,

*Taking into consideration* the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia,<sup>61</sup> adopted by the International Conference on Sanctions against South Africa, held at Paris from 20 to 27 May 1981,

*Welcoming* the establishment of a Solidarity Fund by the Movement of Non-Aligned Countries and of an Emergency Namibia Liberation Fund by the Organization of African Unity to support the efforts of the South West Africa People's Organization in its liberation struggle,

*Stressing* the grave responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of their sole and authentic representative, the South West Africa People's Organization,

*Strongly reiterating* its support for the national liberation movement of Namibia, the South West Africa People's Organization, the sole and authentic representative of the Namibian people in their struggle to achieve self-determination, freedom and national independence in a united Namibia,

*Reaffirming* its full support for the armed struggle of the Namibian people under the leadership of the South West African People's Organization,

*Strongly condemning* South Africa's continued illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia, as well as its attempts to destroy the national unity and territorial integrity of Namibia,

<sup>56</sup> Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24).

<sup>57</sup> Ibid., Supplement No. 23 (A/36/23/Rev.1), chaps. I-VI and VIII.

<sup>58</sup> Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.

<sup>59</sup> Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), para. 222.

<sup>60</sup> See A/36/534, annex I.

<sup>61</sup> A/CONF.107/8, sect. X.

*Indignant* at South Africa's refusal to comply with Security Council resolutions 385 (1976) of 30 January 1976, 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978 and at its manoeuvres aimed at gaining international recognition for illegitimate groups which it has installed in Namibia and which are subservient to Pretoria's interests in order to maintain its policies of domination and exploitation of the people and natural resources of Namibia,

*Strongly condemning* the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

*Deeply concerned* by the increasing militarization of Namibia and by the continuing acts of aggression against neighbouring independent African States, particularly Angola and Zambia, which have caused extensive loss of human lives and destruction of economic infrastructures,

*Noting with grave concern* that the Security Council failed on 31 August 1981,<sup>62</sup> on account of the veto of the United States of America, to exercise its responsibilities in the face of unprovoked massive armed aggression against Angola,

*Reaffirming* that the resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council, and of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,<sup>63</sup> is illegal and contributes to the maintenance of the illegal occupation régime,

*Indignant* at the arbitrary imprisonment and detention of political leaders and followers of the South West Africa People's Organization, the killing of Namibian patriots and other acts of brutality, including the wanton beating, torture and murder of innocent Namibians, and the arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian people and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia,

*Commending* the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under the relevant resolutions of the General Assembly as the legal Administering Authority for Namibia until independence,

1. *Approves* the report of the United Nations Council for Namibia;

2. *Requests* all Member States to co-operate fully with the United Nations Council for Namibia, the legal Administering Authority for the Territory until independence, in the discharge of the mandate entrusted to it under the provisions of General Assembly resolution 2248 (S-V) of 19 May 1967 and subsequent resolutions of the Assembly;

3. *Reaffirms* the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, including Walvis Bay and the offshore islands, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as in subsequent resolutions of the Assembly relating to Namibia, and the legitimacy of their struggle by all means at their disposal,

including armed struggle, against the illegal occupation of their territory by South Africa;

4. *Reiterates* that Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and, for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence;

5. *Strongly supports* the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it both as a policy-making organ of the United Nations and as the legal Administering Authority for Namibia;

6. *Reaffirms* that the South West Africa People's Organization, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people;

7. *Supports* the armed struggle of the Namibian people, under the leadership of the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;

8. *Solemnly reaffirms* that the genuine independence of Namibia can be achieved only with the direct and full participation of the South West Africa People's Organization, the sole and authentic representative of the Namibian people, in all efforts to implement resolutions of the United Nations relating to Namibia and further reaffirms that the only parties to the conflict in Namibia are, on the one hand, South Africa, which is illegally occupying the Territory and committing aggression against the people, and, on the other, the Namibian people, under the leadership of the South West Africa People's Organization, supported by the United Nations, which has direct responsibility for the Territory until independence;

9. *Calls upon* Member States, specialized agencies and other international organizations to render sustained and increased support and material, financial, military and other assistance to the South West Africa People's Organization to enable it to intensify its struggle for the liberation of Namibia;

10. *Strongly condemns* the South African régime for its continued illegal occupation of Namibia and for its persistent refusal to comply with the resolutions of the United Nations relating to Namibia;

11. *Strongly condemns* the manoeuvres of South Africa in Namibia aimed at transferring power to illegitimate groups subservient to its interests in order to maintain its policies of domination and exploitation of the people and natural resources of the Territory and declares that actions taken in this regard by the racist Pretoria régime are illegal, null and void;

12. *Strongly condemns* South Africa for its ever-increasing military build-up in Namibia, its recruitment and training of Namibians for tribal armies and the use of mercenaries to carry out its policy of military attacks against independent African States, particularly Angola and Zambia, its threats and acts of subversion and aggression against those countries and the forcible and massive displacement of Namibians from their homes for military and political purposes;

13. *Strongly condemns* the illegal South African administration for its introduction of compulsory military service for Namibians;

14. *Declares* that all measures by the illegal occupation régime to enforce military conscription in Namibia are illegal, null and void;

15. *Strongly condemns* South Africa for obstructing the implementation of Security Council resolutions 385 (1976),

<sup>62</sup> See *Official Records of the Security Council, Thirty-sixth Year, 2300th meeting*.

<sup>63</sup> *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.*

435 (1978) and 439 (1978) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;

16. *Condemns* South Africa for its increased oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks against neighbouring States, particularly Angola;

17. *Strongly condemns* the collusion by the Governments of certain Western countries and other States, particularly those of the United States of America, the Federal Republic of Germany and Israel, with the racist régime of South Africa in the nuclear field and calls upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

18. *Strongly condemns* the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are exploiting illegally the resources of the Territory and demands that transnational corporations and others engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately abstaining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

19. *Declares* that, by their depletive exploitation of natural resources and continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its political independence;

20. *Calls upon* the international community, especially all Member States, to continue to refrain from according any recognition to or co-operation with any régime which the illegal South African administration may impose upon the Namibian people in disregard of the provisions of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and other relevant resolutions of the General Assembly and the Council;

21. *Reiterates* that, in accordance with the resolutions of the United Nations, in particular General Assembly resolution S-9/2 of 3 May 1978 and Security Council resolution 432 (1978) of 27 July 1978, Walvis Bay and the offshore islands of Namibia are an integral part of Namibia and that any decision by South Africa to annex Walvis Bay is therefore illegal, null and void;

22. *Affirms* that the offshore islands of Namibia—including Penguin, Ichaboe, Hollamsbird, Mercury, Long, Seal, Halifax, Possession, Albatross Rock, Pomona, Plum Pudding and Sinclair's—are an integral part of Namibia and that any decision by South Africa to claim sovereignty over those islands is illegal, null and void;

23. *Strongly condemns* the illegal South African administration for its massive repression of the people of Namibia and their national liberation movement, the South West Africa People's Organization, with the intention of establishing an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at undermining the territorial integrity and unity of Namibia as well as perpetuating the systematic plunder of the natural resources of the Territory;

24. *Demands* that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such

Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

25. *Demands* that South Africa account for all "disappeared" Namibians and release any who are still alive and declares that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

26. *Declares* that the illegal occupation of Namibia by South Africa continues to constitute an act of aggression against the Namibian people and against the United Nations, which has direct responsibility for the Territory until independence;

27. *Declares* that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policy of *apartheid* and its development of nuclear weapons constitute a serious threat to international peace and security;

28. *Calls upon* the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa;

29. *Demands* that South Africa urgently comply fully and unconditionally with the resolutions of the Security Council, in particular resolutions 385 (1976) and 435 (1978) and subsequent resolutions of the Council relating to Namibia;

30. *Reaffirms* that Security Council resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement;

31. *Firmly rejects* the manoeuvres by certain members of the Western contact group aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and at depriving the oppressed Namibian people of their hard-won victories in the struggle for national liberation;

32. *Demands* the immediate commencement of the unconditional implementation of Security Council resolution 435 (1978) without any prevarication, qualification or modification and not later than December 1981;

33. *Strongly urges* the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of the South West Africa People's Organization, for self-determination and national liberation, as well as at negating the achievements of their just struggle;

34. *Strongly urges* the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions, as provided for in Chapter VII of the Charter of the United Nations.

93rd plenary meeting  
10 December 1981

## B

ACTION BY MEMBER STATES IN SUPPORT OF NAMIBIA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia,<sup>56</sup>

*Recalling* its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, as well as its subsequent resolutions relating to Namibia,

*Recalling* its resolution 3295 (XXIX) of 13 December 1974, by which it requested all Member States to take measures to ensure compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,<sup>63</sup>

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981,

*Recalling* its request to the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing against that country comprehensive mandatory sanctions as provided for in Chapter VII of the Charter of the United Nations,<sup>64</sup>

*Recalling* its call upon States, in view of the threat to international peace and security posed by South Africa, to impose against that country comprehensive mandatory sanctions in accordance with the provisions of the Charter,<sup>64</sup>

*Recalling* its call upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally,<sup>64</sup>

*Conscious* of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of the human and natural resources of Namibia, which contributes to the perpetuation of the illegal South African occupation of Namibia,

1. *Requests* all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolution ES-8/2 of 14 September 1981;

2. *Calls upon* all States to sever all diplomatic, consular and trade relations with South Africa;

3. *Requests* all States, in furtherance of the objective of bringing to an end South Africa's illegal occupation of Namibia, to prevent:

(a) The import into their territories of all commodities and products originating in South Africa or illegally occupied Namibia and exported therefrom after the date of the present resolution, whether or not the commodities or products are for consumption or processing in their territories, whether or not they are imported in bond and whether or not any special legal status with respect to the import of goods is enjoyed by the port or other place where they are imported or stored;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export of any commodities or products from South Africa or occupied Namibia, and any dealings by their nationals or in their territories in any commodities or products originating in South Africa or occupied Namibia and exported therefrom after the date of the present resolution, including in particular any transfer of funds to South Africa or occupied Namibia for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories of any commodities or products—whether or not originating in their territories, but not including supplies intended strictly for medical purposes, educational equip-

ment and material for use in schools and other educational institutions, publications, news material and, in special humanitarian circumstances, foodstuffs—to any person or body in South Africa or occupied Namibia or to any other person or body for the purposes of any business carried on in or operated from South Africa or occupied Namibia and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply;

4. *Requests* all States not to make available to the régime of South Africa or illegally occupied Namibia, or to any commercial, industrial or public utility undertaking, including tourist enterprises, in South Africa or occupied Namibia, any funds for investment or any other financial or economic resources, and to prevent their nationals and any persons within their territories from making available to the régime or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within South Africa or occupied Namibia, except payments exclusively for pensions or for strictly medical, humanitarian or educational purposes or for the provision of news material and, in special humanitarian circumstances, foodstuffs;

5. *Requests* all States to prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a South African passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal administration of South Africa in Namibia;

6. *Calls upon* all States to prohibit travel by their nationals to South Africa or occupied Namibia for any purpose, including tourism, sports and scientific and cultural exchanges;

7. *Requests* all States to prevent airline companies constituted in their territories and aircraft of their registration or under charter to their nationals from operating to or from South Africa or occupied Namibia and from linking up with any airline company constituted or aircraft registered in South Africa or occupied Namibia;

8. *Reiterates* that the exploitation of the resources of Namibia by foreign economic interests under the protection of the repressive racist administration, in violation of the Charter of the United Nations, of relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, is illegal and contributes to the maintenance of the illegal occupation régime;

9. *Requests once again* all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;

10. *Calls upon* all States to prohibit State-controlled corporations from investing or obtaining concessions in Namibia, as called for in Security Council resolutions 276 (1970) of 30 January 1970, 283 (1970) of 29 July 1970 and 301 (1971) of 20 October 1971;

11. *Calls upon* all States to prohibit companies of their nationality not under direct governmental control from investing or obtaining concessions in Namibia and to announce that they will not protect such investments against claims of a future lawful government of Namibia;

12. *Requests* all States to prevent investment in projects or corporations within their territories by corporations or individuals of South African nationality, or based in South Africa or illegally occupied Namibia;

13. *Requests* all States to adopt legislation which will penalize corporations dealing with South Africa or with entities in illegally occupied Namibia by the denial of tax relief and the imposition of fines exceeding the amount of profits derived from those dealings;

<sup>64</sup> See resolution ES-8/2.

14. *Requests* all States to prohibit:

(a) The sale or supply of petroleum or petroleum products to any person or body in South Africa or occupied Namibia, or to any person or body for the purpose of eventual supply to South Africa or occupied Namibia;

(b) Any activities by their nationals or in their territories which promote or are calculated to promote the sale or supply of petroleum or petroleum products to South Africa or occupied Namibia;

(c) The shipment in vessels, aircraft or any other means of transportation of their registration, or under charter to their nationals, of any petroleum or petroleum products to South Africa or occupied Namibia;

(d) Any investments in, or provision of technical and other assistance, including technical advice and spare parts, to the petroleum industry in South Africa or occupied Namibia;

(e) The provision of transit facilities in their territories, including the use of their ports, airports, roads or railway network, to vessels, aircraft or any other means of transportation carrying petroleum or petroleum products to South Africa or occupied Namibia;

(f) Any activities by their nationals or in their territories which promote or are calculated to promote the prospecting for petroleum in South Africa or occupied Namibia;

15. *Requests* all States to cease forthwith any provision to South Africa of arms and related matériel of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, and to cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned, which would further strengthen South Africa's illegal occupation of Namibia;

16. *Requests* all States to ensure that arms-export agreements provide for guarantees that would prevent embargoed items or any components thereof from reaching South Africa through third countries under any circumstances, including subcontracts by firms from one country to another;

17. *Requests* all States to prohibit the export of spare parts for embargoed aircraft and other military equipment belonging to South Africa, and the maintenance and servicing of such equipment;

18. *Requests* all States to prohibit government agencies and corporations under their jurisdiction from transferring technology for the manufacture of arms and related matériel of all types to South Africa;

19. *Requests* all States to prohibit government agencies, corporations and individuals under their jurisdiction from investing in the manufacture of arms and related matériel in South Africa;

20. *Requests* all States to prohibit all imports of arms and related matériel of any type from South Africa;

21. *Requests* those States that have not yet done so to renounce those elements of bilateral or multilateral treaties in which South Africa has claimed to represent Namibia, or to take other action to ensure that those treaties cannot be interpreted as applying to Namibia;

22. *Requests* the Governments of Germany, Federal Republic of, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco;

23. *Requests* all States, by making use of article 35 B of the Convention on International Civil Aviation, signed

at Chicago on 7 December 1944,<sup>65</sup> to prohibit the carriage of Namibian uranium or other products emanating from Namibia above their territory;

24. *Calls upon* all States to take effective legislative measures to prevent the recruitment, training and transit of mercenaries for service in Namibia;

25. *Urges*, having regard to the principles set forth in Article 2 of the Charter, States not members of the United Nations to act in accordance with the provisions of the present resolution;

26. *Requests* the Secretary-General to prepare, in consultation with the United Nations Development Programme, a comprehensive programme of assistance to States which are neighbours of South Africa and Namibia, on the understanding that such assistance should not only envisage the overcoming of short-term difficulties but be designed to enable those States to move towards complete self-reliance;

27. *Requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the preparation of the above programme;

28. *Requests* the United Nations Council for Namibia to seek from any States information relevant to the implementation of the resolutions of the General Assembly and the Security Council on Namibia, particularly Assembly resolution ES-8/2, and to compile information from other sources;

29. *Requests* the United Nations Council for Namibia, in implementation of paragraph 15 of General Assembly resolution ES-8/2, to continue to monitor the boycott of South Africa and to submit to the Assembly at its thirty-seventh session a comprehensive report on all contacts between Member States and South Africa, containing a systematic analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interests with South Africa and of measures taken by Member States to terminate all dealings with the racist régime of South Africa;

30. *Requests* all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its tasks concerning the implementation of resolution ES-8/2 and to supply such information as may be sought by the Council in pursuance of the present resolution;

31. *Requests* all States to report to the Secretary-General by the thirty-seventh session of the General Assembly on the measures taken by them to implement the present resolution;

32. *Requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the present resolution.

*93rd plenary meeting  
10 December 1981*

## C

### PROGRAMME OF WORK OF THE UNITED NATIONS COUNCIL FOR NAMIBIA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia,<sup>66</sup>

*Recalling* its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

<sup>65</sup> United Nations, *Treaty Series*, vol. 15, No. 102, p. 295.

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981,

*Reaffirming* that Namibia is the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence in a united Namibia,

*Convinced* of the need to continue consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the United Nations Council for Namibia as well as in any matter of interest to the Namibian people,

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein,<sup>66</sup> and decides to make adequate financial provision for their implementation;

2. *Decides* that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, shall:

(a) Continue to mobilize international support in order to press for the withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;

(b) Counter the policies of South Africa against the Namibian people and against the United Nations, as well as against the United Nations Council for Namibia as the legal Administering Authority for Namibia;

(c) Denounce and seek the rejection by all States of all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its presence in Namibia;

(d) Ensure non-recognition of any administration or entity installed at Windhoek not issuing from free elections in Namibia, conducted on a territory-wide basis, under the supervision and control of the United Nations, in accordance with the resolutions of the Security Council, in particular resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978, and subsequent relevant resolutions in their entirety;

3. *Decides* that the United Nations Council for Namibia shall:

(a) Consult Governments in order to mobilize support for the cause of Namibia and to further the implementation of United Nations resolutions on the question of Namibia;

(b) Represent Namibia in United Nations conferences and intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be adequately protected;

4. *Decides* that Namibia, represented by the United Nations Council for Namibia, shall participate as a full member in all conferences and meetings organized by the United Nations to which all States or, in the case of regional conferences and meetings, all African States, are invited;

5. *Decides* that the United Nations Council for Namibia shall also:

(a) Review the progress of the liberation struggle in Namibia in its political, military and social aspects and prepare periodic reports related thereto;

(b) Consider the compliance of Member States with the relevant United Nations resolutions relating to Namibia, taking into account the advisory opinion of the International Court of Justice of 21 June 1971;<sup>58</sup>

(c) Consider the activities of foreign economic interests operating in Namibia with a view to recommending appropriate policies to the General Assembly in order to counter the support which those foreign economic interests give to the illegal South African administration in Namibia;

(d) Continue to examine the exploitation of and trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its thirty-seventh session;

(e) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations;

(f) Send missions of consultation to Governments whose corporations have investments in Namibia in order to review with them all possible action to discourage the continuation of such investments;

(g) Contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis on which they are operating in Namibia;

(h) Draw the attention of the specialized agencies to Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974;<sup>63</sup>

(i) Take all measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies;

(j) Conduct hearings, seminars and workshops in order to obtain relevant information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities;

(k) Prepare and publish reports on the political, economic, military, legal and social situation in and relating to Namibia;

(l) Secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the offshore islands of Namibia;

6. *Requests* the Secretary-General to prepare, in accordance with the guidelines established by the United Nations Council for Namibia, an indexed reference book on transnational corporations operating in Namibia;

7. *Requests* the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, to accede to the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>67</sup> the International Convention on the Suppression and Punishment of the Crime of *Apartheid*<sup>68</sup> and such other related conventions as may be appropriate;

8. *Requests* all committees and sub-committees of the General Assembly to continue to invite a representative of the United Nations Council for Namibia to participate whenever the rights and interests of Namibians are discussed, and to consult closely with the Council before submitting to the Assembly at its thirty-seventh session any draft resolution which may involve the rights and interests of Namibians;

9. *Decides* to make adequate financial provision in the section of the programme budget of the United Nations relating to the United Nations Council for Namibia to finance the office of the South West Africa People's Organization in New York in order to ensure appropriate representation of the people of Namibia through the South West Africa People's Organization at the United Nations;

<sup>66</sup> Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), para. 708.

<sup>67</sup> Resolution 2106 A (XX), annex.

<sup>68</sup> Resolution 3068 (XXVIII), annex.



10. *Decides* to continue to defray the expenses of representatives of the South West Africa People's Organization, whenever the United Nations Council for Namibia so decides;

11. *Declares* that all United Nations programmes for the benefit of the Namibian people will be carried out in accordance with the resolutions of the General Assembly in support of the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to achieve genuine self-determination and national independence in a united Namibia;

12. *Requests* the United Nations Council for Namibia to continue to consult with the South West Africa People's Organization in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people;

13. *Requests* the Secretary-General to establish an office of the United Nations Commissioner for Namibia at Luanda early in 1982;

14. *Requests* the Secretary-General, in order to facilitate financial reporting to the United Nations Council for Namibia, to ensure that, within the section of the programme budget of the United Nations relating to the Council, the accounts shall reflect closely the activities of the Council as described in the report of the Council to the General Assembly at its thirty-sixth session;

15. *Requests* the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the requirements of personnel and facilities of all units which service the Council so that the Council may fully discharge all tasks and functions arising out of its mandate;

16. *Requests* the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia, to hold a series of plenary meetings in Africa during 1982 and to recommend appropriate action to the General Assembly, in the light of the refusal by South Africa to implement Security Council resolution 435 (1978), and requests the Secretary-General to defray the cost of these meetings and to provide the necessary staff and services for them;

17. *Requests* the Secretary-General to give the widest possible publicity to the extraordinary plenary meetings through all the means at his disposal, including special publications, press releases, and radio and television broadcasts;

18. *Requests* the Secretary-General, after consulting the United Nations Council for Namibia regarding its assessment of the situation pertaining to Namibia, to carry out preparatory work with a view to organizing, at an appropriate time, an international conference in support of the struggle of the Namibian people for independence;

19. *Further requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the preparatory arrangements made.

*93rd plenary meeting  
10 December 1981*

## D

### ACTION BY INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS WITH RESPECT TO NAMIBIA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia,<sup>56</sup>

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United

Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981.

*Bearing in mind* the Declarations adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981,<sup>61</sup>

1. *Requests* all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to Namibia, represented by the United Nations Council for Namibia, so that it may participate as the legal Administering Authority for Namibia in the work of those agencies, organizations and conferences;

2. *Requests* all specialized agencies and other organizations of the United Nations system to grant a waiver of the assessment of Namibia during the period in which it is represented by the United Nations Council for Namibia;

3. *Requests* all intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be protected and to invite Namibia, represented by the United Nations Council for Namibia as the legal Administering Authority for Namibia, to participate as a full member whenever such rights and interests are involved;

4. *Requests* the International Atomic Energy Agency to grant full membership to Namibia, represented by the United Nations Council for Namibia;

5. *Requests* the Secretary-General and the Administrator of the United Nations Development Programme to take the necessary administrative action to end all contracts between, on the one hand, the United Nations, the United Nations Development Programme and the specialized agencies and, on the other hand, corporations that directly or indirectly support South Africa's illegal occupation of Namibia;

6. *Requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the above provision;

7. *Requests* the Economic and Social Council to consider granting membership in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to Namibia, represented by the United Nations Council for Namibia;

8. *Expresses its appreciation* to the specialized agencies and other organizations of the United Nations system for their assistance to Namibia, to the United Nations Fund for Namibia, to the United Nations Institute for Namibia and to the Nationhood Programme and requests them to give priority to the allocation of funds for material assistance to the Namibian people;

9. *Requests* the United Nations Council for Namibia to undertake a programme of co-operation with non-governmental organizations and support groups that are actively engaged in supporting the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, in order to intensify international action in support of the liberation struggle of the Namibian people;

10. *Decides* to allocate the sum of \$200,000 to be used by the United Nations Council for Namibia to undertake a programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of conclusions of such conferences and support to such other activities as will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case, on the recommendation of the South West Africa People's Organization.

*93rd plenary meeting  
10 December 1981*

## E

## DISSEMINATION OF INFORMATION ON NAMIBIA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia,<sup>56</sup>

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981,

*Recalling* its resolution ES-8/2 of 14 September 1981,

*Stressing* the urgent need to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia in the achievement of self-determination, freedom and independence in a united Namibia and, in particular, to intensify the world-wide and continuous dissemination of information on the struggle for liberation being waged by the people of Namibia, under the leadership of the South West Africa People's Organization, their sole and authentic representative,

*Deploring* the increased assistance rendered by certain Western countries, especially the United States of America, to South Africa in the political, economic, military and cultural fields and expressing its conviction that this assistance should be exposed by the United Nations Council for Namibia by all means available to it,

*Reiterating* the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia and mindful of the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia, in accordance with policy guidelines formulated by the Council,

1. *Requests* the United Nations Council for Namibia to consider ways and means of increasing the dissemination of information relating to Namibia;

2. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat, in all its activities of dissemination of information on the question of Namibia, follows the policy guidelines laid down by the United Nations Council for Namibia as the legal Administering Authority for Namibia;

3. *Requests* the Secretary-General to direct the Department of Public Information, in addition to its responsibilities relating to southern Africa, to assist, as a matter of priority, the United Nations Council for Namibia in the implementation of its programme of dissemination of information in order that the United Nations may intensify its efforts to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia, particularly in the Western countries;

4. *Decides* to launch an international campaign in support of the cause of Namibia and to expose and denounce the collusion of certain Western countries with the South African racists and, to this end, requests the United Nations Council for Namibia to formulate a programme of activities on dissemination of information, including the following:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters and on the question of the territorial integrity of Namibia;

(b) Production and dissemination of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of booklets, containing:

(i) The text of official declarations of the Council;

(ii) Joint communiqués and press releases issued by missions of consultation of the Council;

(iii) Resolutions of the General Assembly and the Security Council on the question of Namibia together with relevant portions of Assembly resolutions on the question of foreign economic interests operating in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the Council on 27 September 1974;<sup>63</sup>

(l) Acquisition of already published books and pamphlets for further dissemination;

5. *Requests* the Secretary-General to allocate, in consultation with the United Nations Council for Namibia, sales numbers to publications on Namibia selected by the Council;

6. *Requests* the Department of Public Information to indicate specifically, at the time of preparation of its budget, the items in its work programme that relate to dissemination of information on Namibia;

7. *Requests* the Secretary-General to provide the United Nations Council for Namibia with the work programme of the Department of Public Information for the year 1982 covering the activities of dissemination of information on Namibia, followed by quarterly reports on the programmes undertaken, including details of expenses incurred;

8. *Requests* the Secretary-General to establish, in consultation with the United Nations Council for Namibia, basic statistics on Namibia, and to include these statistics in the appropriate United Nations publications;

9. *Requests* the United Nations Council for Namibia to continue to inform leading opinion makers, media leaders, political and academic institutions and other concerned non-governmental organizations, cultural organizations and support groups about the objectives and functions of the United Nations Council for Namibia and the struggle of the Namibian people under the leadership of the South West Africa People's Organization and also to hold consultations with, and seek the co-operation of, those personalities and institutions by inviting them on special occasions to participate in the deliberations of the Council;

10. *Requests* Member States to broadcast programmes on their national radio and television networks and to publish material in their official news media, informing their populations about the situation in Namibia and the obligation of Governments and peoples to assist in the struggle of Namibians for independence;



11. *Requests* all Member States to commemorate and publicize Namibia Day and to issue special postage stamps for the occasion;

12. *Requests* the Secretary-General to direct the United Nations Postal Administration to issue a special postage stamp on Namibia by the end of 1982 in commemoration of Namibia Day.

93rd plenary meeting  
10 December 1981

## F

### UNITED NATIONS FUND FOR NAMIBIA

#### *The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia on the United Nations Fund for Namibia,<sup>69</sup>

*Recalling* its resolution 2679 (XXV) of 9 December 1970, by which it decided to establish the United Nations Fund for Namibia,

*Recalling also* its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

*Taking into consideration* the Panama Declaration and Programme of Action on Namibia,<sup>59</sup> adopted by the United Nations Council for Namibia at its extraordinary plenary meeting held at Panama City on 5 June 1981,

*Recalling* its resolution 34/92 A of 12 December 1979, by which it approved the Charter of the United Nations Institute for Namibia,<sup>70</sup>

*Commending* the Institute for its effective contribution in promoting the acquisition of skills by young Namibians, thus enabling them to contribute to the administration of a future independent Namibia, and for its research activities into the various political, economic and social aspects of the question of Namibia,

*Recalling* its resolution 31/153 of 20 December 1976, by which it decided to launch a comprehensive assistance programme within the United Nations system, covering both the period of struggle for independence and the initial years of independence of Namibia,

1. *Takes note* of the report of the United Nations Council for Namibia on the United Nations Fund for Namibia;

2. *Expresses its appreciation* to all States, the specialized agencies and other organizations in the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, and calls upon them to increase their assistance to Namibians through those channels;

3. *Decides* that the utilization of the resources of the United Nations Fund for Namibia should be considered also in the context of the implementation of the Nationhood Programme for Namibia;

4. *Decides* to allocate as a temporary measure to the United Nations Fund for Namibia the sum of \$1 million from the regular budget of the United Nations for 1982;

5. *Urges* the organizations of the United Nations system to waive programme-support costs in respect of projects in favour of Namibians financed from the United Nations Fund for Namibia and other sources;

6. *Requests* the Secretary-General and the President of the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and individuals for generous voluntary contributions to the General Account of the United Nations Fund for Namibia and to the special accounts for the Nationhood Programme and the United Nations Institute for Namibia;

7. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

8. *Requests* the specialized agencies and other organizations and bodies of the United Nations system, when planning and initiating their new measures of assistance to Namibians, to do so within the context of the Nationhood Programme for Namibia and the United Nations Institute for Namibia;

9. *Expresses its appreciation* for the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees and requests him to expand those efforts in view of the substantial increase in the number of Namibian refugees;

10. *Decides* that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;

11. *Decides* that the United Nations Council for Namibia shall:

(a) Continue to formulate policies of assistance to Namibians and co-ordinate assistance for Namibia provided by the specialized agencies and other organizations and bodies of the United Nations system;

(b) Continue to act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;

(c) Provide broad guidelines and formulate the principles and policies for the United Nations Institute for Namibia;

(d) Co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with the South West Africa People's Organization, with the aim of consolidating all measures of assistance by the specialized agencies and other organizations and bodies of the United Nations system into a comprehensive assistance programme;

(e) Continue to consult with the South West Africa People's Organization in the formulation and implementation of assistance programmes for Namibians;

(f) Report to the General Assembly at its thirty-seventh session on activities in respect of the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

12. *Commends* the efforts of the United Nations Institute for Namibia to provide substantive support for the struggle for freedom of the Namibian people and the establishment of an independent State of Namibia;

13. *Requests* the United Nations Council for Namibia to prepare and publish, through the United Nations Institute for Namibia, a comprehensive reference book on Namibia, covering all aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council;

14. *Urges* those specialized agencies and other organizations of the United Nations system which have not done so to review with the United Nations Institute for Namibia ways and means of strengthening its programme of activities;

15. *Further urges* specialized agencies and other organizations and bodies of the United Nations system to co-

<sup>69</sup> Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 24 (A/36/24), part two, sect. V.

<sup>70</sup> Ibid., Thirty-fourth Session, Supplement No. 24 (A/34/24), annex XXXII.

operate closely with the United Nations Institute for Namibia in their efforts to support its programme;

16. *Commends* the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider in due course policies and contingency plans regarding the transitional and post-independence phases of the Programme;

17. *Expresses its appreciation* to those specialized agencies and other organizations and bodies of the United Nations system that have contributed to the Nationhood Programme for Namibia and calls upon them to continue their participation in the Programme by:

(a) Implementing projects approved by the United Nations Council for Namibia;

(b) Preparing new project proposals at the request of the Council;

(c) Allocating funds from their own financial resources for the implementation of the projects approved by the Council;

18. *Expresses its appreciation* to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and calls upon it to continue to allocate, at the request of the United Nations Council for Namibia, funds from the indicative planning figure for Namibia for the implementation of the projects within the Nationhood Programme and to increase the indicative planning figure for Namibia;

19. *Requests* the Secretary-General to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of the responsibilities entrusted to it by the United Nations Council for Namibia as the co-ordinating authority in the implementation of the Nationhood Programme for Namibia.

*93rd plenary meeting  
10 December 1981*

### **36/137. Appointment of the Secretary-General of the United Nations**

*The General Assembly,*

*Acting* in accordance with the recommendation contained in Security Council resolution 494 (1981) of 11 December 1981,<sup>71</sup>

*Appoints* Mr. Javier Pérez de Cuéllar Secretary-General of the United Nations for a term of office beginning on 1 January 1982 and ending on 31 December 1986.

*98th plenary meeting  
15 December 1981*

### **36/171. Question of human rights relating to the case of Mr. Ziad Abu Eain**

*The General Assembly,*

*Recalling* the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>72</sup>

*Recalling* its resolution 32/14 of 7 November 1977 and other pertinent resolutions in which the General Assembly, *inter alia*, reaffirmed the legitimacy of the struggle for independence, territorial integrity, national unity and libera-

tion from colonial and foreign domination and alien subjugation by all available means,

*Noting* that Mr. Ziad Abu Eain, a Palestinian national from occupied Palestinian territory and a Jordanian citizen, was illegally detained in prison in the United States of America for over two years,

*Noting also* that the sole basis for "probable cause" against Mr. Ziad Abu Eain was a statement in Hebrew extracted from a person who had no knowledge of the Hebrew language and who was in Israeli custody, whose statement was later recanted,

*Deeply concerned* that the Government of the United States has extradited Mr. Ziad Abu Eain and delivered him to Israel, the occupying Power,

1. *Strongly deplores* the action of the Government of the United States of America in extraditing Mr. Ziad Abu Eain to Israel, the occupying Power;

2. *Demands* that Mr. Ziad Abu Eain be immediately released and that the Government of the United States, being responsible for his safety, should facilitate his safe transfer to the country of his choice;

3. *Requests* the Secretary-General to report to the General Assembly no later than 31 December 1981 on the implementation of the present resolution;

4. *Decides* to retain item 12 on the agenda of its thirty-sixth session for the sole purpose of further considering the question of human rights relating to the case of Mr. Ziad Abu Eain.

*101st plenary meeting  
16 December 1981*

### **36/172. Policies of apartheid of the Government of South Africa<sup>73</sup>**

#### **A**

#### **SITUATION IN SOUTH AFRICA**

*The General Assembly,*

*Having considered* the reports of the Special Committee against Apartheid,<sup>74</sup>

*Reaffirming* that apartheid is a crime against humanity and a threat to international peace and security,

*Recognizing* the contribution of the struggle for freedom and equality in South Africa to the purposes of the United Nations,

*Conscious* of the responsibility of the United Nations and the international community towards the oppressed people of South Africa and their national liberation movement, as proclaimed, in particular, in General Assembly resolution 3411 C (XXX) of 28 November 1975,

*Convinced* that it is incumbent on the international community to provide all necessary assistance to the oppressed people of South Africa and their national liberation movement in their legitimate struggle for the establishment of a democratic society in accordance with their inalienable rights, as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>75</sup>

*Welcoming with great satisfaction* the growing mobilization of world public opinion and of all segments of the oppressed people of South Africa against apartheid,

*Commending*, in particular, the courageous struggle of the black workers of South Africa for their legitimate rights,

<sup>71</sup> See also sect. I, footnote 8, and sect. X.B.2, decision 36/419.

<sup>72</sup> *Ibid.*, Thirty-sixth Session, Annexes, agenda item 16, document A/36/820.

<sup>73</sup> Resolution 217 A (III).

<sup>74</sup> *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 22 (A/36/22 and Corr.1) and Supplement No. 22A (A/36/22/Add.1 and 2).*

<sup>75</sup> Resolution 217 A (III).