



General Assembly

A/RES/37/43
3 December 1982

**37/43. 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**

The General Assembly,

Recalling its resolutions 2649 (XXV) of 30 November 1970, 2955 (XXVII) of 12 December 1972, 3070 (XXVIII) of 30 November 1973, 3246 (XXIX) of 29 November 1974, 3382 (XXX) of 10 November 1975, 33/24 of 29 November 1978, 34/44 of 23 November 1979, 35/35 of 14 November 1980 and 36/9 of 28 October 1981, as well as Security Council resolutions 418 (1977) of 4 November 1977 and 437 (1978) of 10 October 1978,

Recalling also its resolutions 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973 and 3314 (XXIX) of 14 December 1974 concerning the use and recruitment of mercenaries against national liberation movements and sovereign States, as well as Security Council resolutions 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982,

Recalling further its relevant resolutions on the question of Palestine, in particular resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974, 36/120 of 10 December 1981 and ES-7/6 of 19 August 1982,

Recalling also its resolutions on the question of Namibia, in particular resolution ES-8/2 of 14 September 1981,

Recalling the resolutions 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, particularly resolutions CM/Res.855 (XXXVII) and CM/Res.865 (XXXVII),^{1/}

Deeply concerned at the continued terrorist acts of aggression committed by the Pretoria régime against independent African States, in particular Angola, Botswana, Mozambique, Seychelles and Zambia,

Deeply angered by the occupation of part of the territory of Angola by the troops of the racist régime of South Africa,

Recalling the Political Declaration adopted by the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977,^{2/}

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the repeated acts of aggression by Israel against the peoples of the region constitute a serious threat to international peace and security,

Deeply shocked and alarmed at the deplorable consequences of the Israeli invasion of Beirut on 3 August 1982, and recalling all the resolutions of the Security Council, in particular resolutions 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming that "bantustanization" is incompatible with genuine independence, national unity and sovereignty and has the effect of perpetuating the power of the white minority and the racist system of *apartheid* in South Africa,

Reaffirming the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Reaffirming also that the system of *apartheid* imposed on the South African people constitutes an inadmissible violation of the rights of that people and a constant threat to international security,

Reaffirming the national unity and territorial integrity of the Comoros,

Gravely concerned at the continuation of the illegal occupation of Namibia by South Africa and the continued violations of the human rights of the peoples still under colonial and foreign domination and alien subjugation,

1. *Calls upon* all States to implement fully and faithfully the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. *Reaffirms* the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by all available means, including armed struggle;

3. *Reaffirms* the inalienable right of the Namibian people, the Palestinian people and all peoples under foreign and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without outside interference;

4. *Notes again with satisfaction* resolution AHG/Res.103 (XVIII) adopted 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^{3/} and the decisions of its Implementation Committee to organize and conduct a general, free and regular referendum on self-determination in Western Sahara, and welcomes the willingness of the United Nations to collaborate in the implementation of the process envisaged by the Organization of African Unity;

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

6. *Condemns* the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in their just and legitimate struggle against the racist minority régime of Pretoria;

7. *Further condemns* South Africa for its increased oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks on the front-line States with the aim of destabilizing their Governments;

8. *Strongly condemns* the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa, thus impeding effective implementation of General Assembly resolution 1514 (XV);

9. *Strongly reaffirms* its solidarity with the independent African countries and liberation movements that are victims of the murderous acts of aggression of the Pretoria régime and of its attempts at destabilization;

10. *Strongly condemns once again* the invasion and occupation of part of the territory of Angola by troops of the racist Pretoria régime and demands the immediate withdrawal of those troops from Angolan territory;

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

12. *Strongly condemns* the continued violations of the human rights of the peoples still under colonial and foreign domination and alien subjugation, the continuation of the illegal occupation of Namibia, and South Africa's attempts to dismember its Territory, the perpetuation of the racist minority régime in southern Africa and the denial to the Palestinian people of their inalienable national rights;

13. *Also strongly condemns* the policies of those Western and other countries whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime in South Africa encourage that régime to persist in its suppression of the aspirations of peoples to self-determination and independence;

14. *Again demands* the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977), by all countries, particularly by those countries that maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply related material to that régime;

15. *Notes again with satisfaction* the Paris Declaration on Sanctions against South Africa, the Special Declaration on Namibia and the reports of the technical and political commissions adopted by the International Conference on Sanctions against South Africa, held in Paris from 20 to 27 May 1981, convened jointly by the United Nations and the Organization of African Unity;^{4/}

16. *Demands* the immediate implementation of General Assembly resolution ES-8/2 on Namibia;

17. *Calls* 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

18. *Strongly condemns* those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;
19. *Strongly condemns* the increasingly widespread massacres of innocent and defenceless people, including women and children, by the racist minority Pretoria régime in its desperate attempt to thwart the legitimate demands of the people;
20. *Strongly condemns* the massacre of Palestinians and other civilians at Beirut on 17 September 1982;
21. *Strongly condemns* the expansionist activities of Israel in the Middle East and the continual bombing of Palestinian civilians, which constitute a serious obstacle to the realization of the self-determination and independence of the Palestinian people;
22. *Strongly condemns* the Israeli aggression against Lebanon in June 1982, which endangers stability, peace and security in the region, and reiterates its support for the efforts undertaken to implement the resolutions of the Security Council, in particular those demanding the immediate and unconditional withdrawal of Israeli forces from Lebanese territory to internationally recognized boundaries and respect for the sovereignty and territorial integrity of Lebanon;
23. *Urges* all States, competent organizations of the United Nations system, specialized agencies and other international organizations to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter of the United Nations;
24. *Demands* the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and the observance of article 5 of the Universal Declaration of Human Rights^{5/} under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;
25. *Recommends* that the Security Council should make urgent appeals for clemency to the South African authorities in order that the lives of the three African National Congress freedom fighters sentenced to death on 6 August 1982 may be saved in accordance with General Assembly resolution 37/1 of 1 October 1982;
26. *Demands* the immediate release of children detained in Namibian and South African prisons;
27. *Reiterates* its appreciation for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, United Nations agencies and intergovernmental organizations, and calls for a substantial increase in this assistance;
28. *Urges* all States, specialized agencies and competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;
29. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle being waged by oppressed peoples for the realization of their self-determination and national independence;
30. *Decides* to consider this item again at its thirty-eighth session on the basis of the reports that Governments, United Nations agencies and intergovernmental and non-governmental organizations have been requested to submit concerning the strengthening of assistance to colonial territories and peoples.

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^{1/} See A/36/534, annex I.

^{2/} A/32/61, annex I.

^{3/} See A/36/534, annex II.

^{4/} A/CONF.107/8, sect. X and annexes X and XI.

^{5/} Resolution 217 A (III).