

ANNEX IV (continued)

Annex

Plan of Action for the Full Implementation of the
Declaration on the Granting of Independence
to Colonial Countries and Peoples

1. Member States shall do their utmost to promote, in the United Nations and the specialized agencies and other organizations within the United Nations system, effective measures for the full 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, in all Trust Territories and Non-Self-Governing Territories and other colonial Territories, irrespective of their size, including the adoption by the Security Council of necessary measures against Governments and régimes that engage in any form of repression of colonial peoples which would seriously impede the maintenance of international peace and security.
2. Member States shall render all necessary moral and material assistance to the peoples under colonial domination in their struggle to exercise their right to self-determination and independence.
3. Member States shall intensify their efforts to promote the implementation of the resolutions of the General Assembly and of the Security Council relating to Territories and countries under colonial domination.
4. Member States shall intensify their efforts to end all political, military, economic and other forms of collaboration with South Africa, particularly in the nuclear field, including the supply of nuclear material and equipment or components thereof, the transfer of nuclear technology and financial, technical or other assistance to the nuclear programme of South Africa, the sale of uranium enrichment facilities to, and the purchase of uranium from, South Africa, and shall take measures to prevent such collaboration and purchases by corporations, institutions and other bodies or individuals within their jurisdiction.
5. Member States shall endeavour to adopt, both individually and collectively, measures to achieve the cessation of all new foreign investments in and financial loans to South Africa.
6. Member States shall continue to wage a vigorous and sustained campaign against activities and practices of foreign economic, financial and other interests operating in colonial Territories which are detrimental to the interests of the population of those Territories and shall adopt legislative, administrative or other measures to bring about the discontinuance of such activities and practices on the part of their nationals and companies within their jurisdiction.

ANNEX IV (continued)

7. Member States, as well as the organizations within the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, shall ensure that the permanent sovereignty of the countries and Territories under colonial, racist and alien domination over their natural resources shall be fully respected and safeguarded.

8. Member States shall adopt the necessary measures to discourage or prevent the systematic influx of outside immigrants and settlers into Territories under colonial domination, which disrupts the demographic composition of those Territories and may constitute a major obstacle to the genuine exercise of the right to self-determination and independence by the people of those Territories.

9. Member States shall oppose all military activities and arrangements by colonial and occupying Powers in the Territories under colonial and racist domination, as such activities and arrangements constitute an obstacle to the full implementation of the Declaration, and shall intensify their efforts with a view to securing the immediate and unconditional withdrawal from colonial Territories of military bases and installations of colonial Powers.

10. Member States shall also adopt the necessary measures to prevent the recruitment, financing and training of mercenaries in their territories for use against the national liberation movements struggling for their freedom and independence from the yoke of colonialism, racism and apartheid.

11. Member States shall recognize that armed conflicts in which peoples are fighting against colonial and racist domination and occupation in exercise of their right to self-determination are international armed conflicts as provided for by Additional Protocol I c/ to the Geneva Conventions of 1949. d/ The legal status envisaged to apply to the combatants in the 1949 Geneva Conventions shall apply to persons engaged in armed struggle against colonial and alien domination and racist régimes. Those persons captured as prisoners shall be accorded the status of prisoners of war and their treatment shall be in accordance with the provisions of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949. e/

12. Member States and the specialized agencies and other organizations of the United Nations system shall intensify their moral and material assistance to the national liberation movements recognized by the Organization of African Unity.

c/ A/32/144, annex I.

d/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

e/ Ibid., No. 972, p. 135.

ANNEX IV (continued)

13. All States shall undertake measures aimed at enhancing public awareness of the need for active assistance to bring about the complete eradication of colonialism in all its forms and manifestations, including racism and apartheid, through the exercise of the right to self-determination. In particular, States shall endeavour to create satisfactory conditions for activities by national and international non-governmental organizations in support of the peoples under colonial domination.

14. All States shall co-operate fully with the United Nations Council for Namibia, the legal Administering Authority of the Territory until independence, in discharging the mandate entrusted to it under the terms of General Assembly resolution 2248 (S-V) of 19 May 1967 and subsequent resolutions of the Assembly.

15. All States shall also co-operate fully 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 its mandate.

16. The General Assembly draws the attention of the Security Council to the need to continue to give special attention to those situations where the denial of the right of peoples to self-determination, as defined in General Assembly resolution 1514 (XV), poses a threat to international peace and security and, in particular, the need:

(a) To consider imposing mandatory economic sanctions against South Africa, under Chapter VII of the Charter of the United Nations, including in particular a mandatory embargo on the supply of petroleum and petroleum products to South Africa;

(b) To reinforce the arms embargo against South Africa by adopting comprehensive mandatory measures to end all military and nuclear collaboration with the apartheid régime of South Africa.

17. The Special Committee shall continue to examine the full compliance of all States with the Declaration and with other relevant resolutions on the question of decolonization. Questions of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration. Where General Assembly resolution 1514 (XV) has not been fully implemented with regard to a given Territory, the Assembly shall continue to bear responsibility for that Territory until all powers are transferred to the people of the Territory without any conditions or reservations and the people concerned have had an opportunity to exercise freely their right to self-determination and independence in accordance with the Declaration. The Special Committee is hereby directed:

ANNEX IV (continued)

(a) To continue to seek the most suitable ways for the speedy and total application of the Declaration to all Territories which have not yet attained independence and to propose to the General Assembly specific measures for the complete implementation of the Declaration;

(b) To undertake a thorough review of the list of Trust and Non-Self-Governing and other Territories which have not yet attained independence to which the Declaration applies and to report thereon to the General Assembly at its thirty-sixth session;

(c) To continue to send visiting missions to the colonial Territories at periodic intervals in order to enable the Special Committee to obtain first-hand information on conditions in those Territories;

(d) To continue to examine the views expressed, orally or in writing, by the peoples of the colonial Territories as well as by representatives of non-governmental organizations and individuals with knowledge of conditions in those Territories. Particular consideration shall be given to oral petitions and written communications regarding the Territories on which information is not being transmitted as provided for by Article 73 e of the Charter or to which the Special Committee is denied access;

(e) To assist the General Assembly in making arrangements, in co-operation with the administering Powers, to secure a United Nations presence in the colonial Territories to enable it to participate in the elaboration of the procedural arrangements for the implementation of the Declaration and to observe or supervise the final stages of the process of decolonization in those Territories.

18. The United Nations shall intensify its efforts in disseminating information by all available means, including publications, radio and television, on the struggle of peoples for self-determination, independence and equal rights and against colonial domination, on the activities of the United Nations in the field of decolonization and on the role of the national liberation movements.

19. The specialized agencies and other organizations within the United Nations system shall render, or continue to render, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements.

20. Those non-governmental organizations with a special interest in the field of decolonization and actively opposed to colonialism in all its forms and manifestations are requested to intensify their activities in co-operation with the Secretary-General and the relevant organs of the United Nations.

ANNEX IV (continued)

Recorded vote on resolution 35/118:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sierra Leone, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Denmark, Finland, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Malawi, Mauritius, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden.

Absent: Dominica, Grenada, Haiti, India,* Saint Vincent and the Grenadines, Solomon Islands, Upper Volta.

* The delegation of India subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

ANNEX V

Twenty-fifth anniversary of the Declaration on the Granting
of Independence to Colonial Countries and Peoples

(General Assembly resolution 40/56 of 2 December 1985)

The General Assembly,

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

Having held, in the year of the fortieth anniversary of the United Nations, a special commemorative plenary meeting in observance of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, a/

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Recalling also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, b/

Recalling its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity immediately and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of about one hundred States into sovereign existence,

a/ See Official Records of the General Assembly, Fortieth Session, Plenary Meetings, 36th meeting.

b/ Resolution 2625 (XXV), annex.

Noting with satisfaction, in particular, that during the past twenty-five years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by 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 furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system, in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Deeply concerned at the fact that, twenty-five years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated, particularly in Namibia,

Strongly condemning the continuing illegal occupation of Namibia and the colonial oppression of its people by the racist régime of Pretoria, which completely disregards the inalienable right of the people of Namibia to self-determination and independence,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, apartheid and violations of the basic human rights of the peoples in the remaining colonial Territories, particularly in Namibia, will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. Reaffirms the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

2. Declares that the continuation of colonialism in all its forms and manifestations, including racism and apartheid, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. Expresses its conviction that the twenty-fifth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. Strongly condemns South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its aggressive activities and acts of destabilization against neighbouring independent African States and its policies of apartheid, as well as its acquisition of nuclear-weapon capability, which constitute a threat to international peace and security;

5. Calls upon Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights, c/ as well as other relevant resolutions and decisions of the General Assembly and those of the Security Council;

6. Urges Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

c/ Resolution 217 A (III).

7. Calls upon Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence, in accordance with the Charter and the Declaration;

8. Urges the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. Requests Member States to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that illegally own and operate enterprises, including transnational corporations, in the international Territory of Namibia in order to put an end to such operations;

10. Urges Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa in respect of Namibia and to refrain from entering into any relations with South Africa which may lend legitimacy or support to its continued illegal occupation of that Territory;

11. Requests Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

12. Reaffirms that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration which will enable those Territories to achieve genuine independence and economic self-reliance;

13. Requests the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right to self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14. Further requests the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15. Reaffirms its strong conviction that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

16. Calls upon the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in Territories under their administration;

17. Requests Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their Territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and apartheid;

18. Considers it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19. Urges Member States to ensure the full and speedy implementation of the Declaration and other relevant resolutions of the United Nations;

20. Invites the Security Council to continue to give special attention to the situation in and around Namibia and to consider imposing mandatory sanctions against South Africa under Chapter VII of the Charter;

21. Requests the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements, to take measures to withhold from the apartheid régime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that régime until the people of Namibia have exercised their right to self-determination and independence in a united Namibia and until apartheid has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly and the Security Council;

22. Invites non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

23. Requests the Special Committee to continue to examine the full compliance of all States with the Declaration and with other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

24. Invites all States to co-operate fully 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 complete fulfilment of its mandate.

D E C L A R A T I O N
ON THE GRANTING OF INDEPENDENCE TO
COLONIAL COUNTRIES AND PEOPLES

The General Assembly.

Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in trust and non-self-governing territories,

Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

Welcoming the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,
Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.
2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
3. Inadequacy of political, economic, social and educational preparedness should never serve as a pretext for delaying independence.
4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.
5. Immediate steps shall be taken, in trust and non-self-governing territories or all other territories which have not attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.
6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.
7. All states shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States and respect for the sovereign rights of all peoples and their territorial integrity.