

Recognizing the urgent need for the Preparatory Commission to be assured of adequate resources to enable it to discharge its functions efficiently and expeditiously,

Recalling also that in General Assembly resolution 35/116 the Secretary-General was requested to prepare and submit to the Conference, for such consideration as it deemed appropriate, a study identifying his future functions under the proposed Convention and that such a study was submitted on 18 August 1981,⁴⁷

Noting that, in a letter dated 7 September 1982 to the President of the General Assembly,⁴⁸ the President of the Conference drew attention to the responsibilities which the Secretary-General was called upon to carry out under the Convention and the related resolutions and to the need for the Assembly to take the appropriate action to approve the assumption of these responsibilities by the Secretary-General,

Recognizing that, in accordance with the third preambular paragraph of the Convention, the problems of ocean space are closely interrelated and need to be considered as a whole,

Recognizing the need for the Secretary-General to be authorized to assume his functions under the Convention and the related resolutions, including in particular the provision of the secretariat services required by the Preparatory Commission for its effective and expeditious functioning,

1. *Welcomes* the adoption of the United Nations Convention on the Law of the Sea and the related resolutions;

2. *Calls upon* all States to consider signing and ratifying the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

3. *Appeals* to the Governments of all States to refrain from taking any action directed at undermining the Convention or defeating its object and purpose;

4. *Accepts with appreciation* the invitation extended by the Government of Jamaica for the purpose of adopting and signing the Final Act and opening the Convention for signature at Montego Bay from 6 to 10 December 1982;

5. *Authorizes* the Secretary-General to enter into the necessary agreement in this regard with the Government of Jamaica;

6. *Reiterates its gratitude* to the Government of Venezuela for the hospitality extended to the Third United Nations Conference on the Law of the Sea at its first substantive session, held at Caracas in 1974;

7. *Approves* the assumption by the Secretary-General of the responsibilities entrusted to him under the Convention and the related resolutions and also approves the stationing of an adequate number of secretariat staff in Jamaica for the purpose of servicing the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, as required by its functions and programme of work;

8. *Authorizes* the Secretary-General to convene the Preparatory Commission as provided in Conference resolution I, of 30 April 1982,⁴⁹ by which the Commission was established, and to provide the Commission with the services required to enable it to perform its functions efficiently and expeditiously;

9. *Approves* the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations;

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

*91st plenary meeting
3 December 1982*

37/67. Report of the Secretary-General on the work of the Organization

The General Assembly,

Deeply disturbed by the continuing deterioration of international relations, the frequent recourse to the threat or use of force, the further escalation of the arms race, particularly in its nuclear dimension, the aggravation of global economic problems, widespread, mass and flagrant violations of human rights, all hindrances to the process of decolonization and the continued stalemate in the resolution of various fundamental international crises and their exacerbation,

Gravely concerned at the crisis in many multilateral negotiations and in co-operation, especially within the United Nations,

Noting with concern that the United Nations system of collective security has not been used effectively,

Gravely concerned at the frequent disregard shown for the provisions of the Charter and the resolutions of the United Nations,

Convinced that there is an urgent and imperative need for strict respect for the provisions of the Charter and for strengthening the role of the United Nations in the maintenance of international peace and security and in solving international problems in accordance with the purposes and principles of the Charter,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations⁴⁹ and the Manila Declaration on the Peaceful Settlement of International Disputes,⁵⁰

Bearing in mind the views expressed by Member States during the thirty-seventh session of the General Assembly,

1. *Takes note with appreciation* of the report of the Secretary-General on the work of the Organization;⁵¹

2. *Solemnly reaffirms* that genuine and stable peace and security in the world can be achieved by strict adherence to the purposes and principles of the Charter of the United Nations and to international law and that all States should fulfil in good faith their obligations assumed in accordance therewith;

3. *Emphasizes* the imperative need to strengthen the role and effectiveness of the United Nations as indispensable for the maintenance of international peace and security, for the settlement of international disputes and crises by peaceful means, for the strengthening of international co-operation on the basis of sovereign equality and for the promotion of economic and social development and of human rights;

4. *Calls upon* all organs of the United Nations to discharge fully and effectively their responsibilities in accordance with the Charter and upon all Member States to contribute actively to that end;

5. *Requests* the Security Council to carry out the primary responsibility for the maintenance of international peace

⁴⁷ *Ibid.*, vol. XVII, document A/CONF.62/L.76.

⁴⁸ A/37/441.

⁴⁹ Resolution 2625 (XXV)

⁵⁰ Resolution 37/10, annex.

⁵¹ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).*

and security and to give due consideration to the report of the Secretary-General;

6. *Invites* the Secretary-General, in discharging his responsibilities under the Charter, to continue his efforts towards strengthening the capacity of the United Nations to fulfil the effective and decisive role envisaged for it in the Charter;

7. *Urges* that efforts to this end continue, taking into account the views expressed by Member States during the thirty-seventh session of the General Assembly as well as those which Member States may wish to offer, while views of institutions and eminent persons may also be taken into consideration as appropriate;

8. *Requests* the Secretary-General to keep the General Assembly informed on the implementation of the present resolution.

91st plenary meeting
3 December 1982

37/68. Further appeal for clemency in favour of South African freedom fighters

The General Assembly,

Having been informed that the appeal against the death sentences imposed on 19 August 1981 on Mr. Anthony Tsotso, Mr. Johannes Shabangu and Mr. David Moise, members of the African National Congress of South Africa, has been rejected by the appellate division,

Recalling its resolution 36/172 J of 17 December 1981, in particular its demand that the racist régime of South Africa refrain from the execution of persons sentenced under arbitrary repressive laws for acts arising from opposition to *apartheid*,

Deeply concerned that the South African authorities have not yet heeded the General Assembly's appeal for clemency contained in its resolution 37/1 of 1 October 1982 in favour of three other South African freedom fighters, namely Mr. Simon Mogoerane, Mr. Jerry Mosololi and Mr. Marcus Motaung,

Considering that the continued repression against and executions of opponents of *apartheid* are bound to have grave repercussions,

1. *Calls upon* the South African authorities not to proceed with the execution of the six above-mentioned freedom fighters and to commute the death sentences as soon as possible;

2. *Recommends* that the Security Council should direct an appeal for clemency to the South African authorities not to proceed with the execution of the six above-mentioned members of the African National Congress of South Africa;

3. *Requests* the Secretary-General to transmit the present resolution to the South African authorities immediately and to report on the matter to the General Assembly not later than 15 December 1982.

93rd plenary meeting
7 December 1982

37/69. Policies of *apartheid* of the Government of South Africa⁵²

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SITUATION IN SOUTH AFRICA

The General Assembly,

Recalling and reaffirming its resolutions on this question, particularly resolution 36/172 of 17 December 1981,

⁵² See also sect. I, footnote 8, and sect. X B.3, decision 37/406.

Having considered the reports of the Special Committee against *Apartheid*,⁵³

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

Bearing in mind that it proclaimed 1982 International Year of Mobilization for Sanctions against South Africa,

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 pursuant to their inalienable rights, in conformity with the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights,⁵⁴

Commending the oppressed people of South Africa and their liberation movements, particularly the African National Congress, for intensifying the armed struggle against the racist régime,

Reaffirming that the *apartheid* régime is totally responsible for precipitating violent conflict through its policy of *apartheid* and inhuman repression,

Gravely concerned at the intensification of repression in South Africa, the growing number of deaths in detention and the imposition of death sentences on freedom fighters of the African National Congress,

Reaffirming that freedom fighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I⁵⁵ to the Geneva Conventions of 12 August 1949,⁵⁶

Commending the courageous struggle of the black workers of South Africa for their inalienable rights,

Condemning the policy of "bantustanization" designed to dispossess further the African majority of its inalienable rights and to deprive it of citizenship, as well as the continuing forced removals of black people, as an international crime,

Gravely concerned at the growing number of displaced and missing persons resulting from the criminal policies of the racist régime of South Africa,

Reaffirming that *apartheid* cannot be reformed but must be totally eliminated,

Denouncing the manoeuvres of the racist régime of South Africa to divide the oppressed people through so-called constitutional dispensations and other means, and commending the oppressed people of South Africa for rejecting those manoeuvres,

Recognizing that comprehensive and mandatory sanctions by the Security Council under Chapter VII of the Charter of the United Nations are essential to avert the grave threat to international peace and security resulting from the policies and actions of the *apartheid* régime of South Africa,

Considering that political, economic, military and any other collaboration with the *apartheid* régime of South Africa encourages its persistent intransigence and defiance of the international community and its escalating acts of repression and aggression,

⁵³ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 22 (A/37/22) and Supplement No. 22A (A/37/22/Add.1 and 2).

⁵⁴ Resolution 217 A (III).

⁵⁵ A/32/144, annex I.

⁵⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.