

Recognizing the far-sighted and unfailing determination, as well as the decisive contribution, of the Contadora Group and its Support Group in favour of peace in Central America,

Convinced that the peoples of Central America wish to achieve peace, reconciliation, development and justice, without outside interference, in accordance with their own decision and their own historical experience, and without sacrificing the principles of self-determination and non-intervention,

Aware that the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" signed at Guatemala City on 7 August 1987 by the Presidents of the Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, at the Esquipulas II summit meeting,⁵⁵ is the outcome of the decision by Central Americans to take up fully the historical challenge of forging a peaceful destiny for Central America,

Aware also of the political will which inspires them to settle their differences by means of dialogue, negotiation and respect for the legitimate interests of all States, establishing commitments to be fulfilled in good faith, through the verifiable performance of actions aimed at achieving peace, democracy, security, co-operation and respect for human rights,

Recognizing the importance of the Joint Declaration of the Central American Presidents issued at San José on 16 January 1988,⁵⁶ whereby they undertook to fulfil immediately, unconditionally and unilaterally the obligations contained in the agreement concluded at the Esquipulas II summit meeting, which must necessarily be "subject to special verification",

Welcoming the recognition given by the Central American Presidents to the tremendous efforts made by the International Verification and Follow-up Commission in helping to implement the agreement concluded at the Esquipulas II summit meeting,

Bearing in mind the particular importance which the implementation of its resolution 42/231 of 12 May 1988 has for the improvement of the living standards of the Central American people,

1. *Commends* the desire for peace expressed by the Central American Presidents in signing on 7 August 1987 at Guatemala City the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" and in issuing on 16 January 1988 at San José their Joint Declaration;

2. *Expresses* its strongest support for the agreement;

3. *Exhorts* the Governments to continue their efforts to achieve a firm and lasting peace in Central America and fervently hopes that the Central American Presidents at their next meeting will evaluate and give a new impetus to the process of fulfilling the undertakings assumed in the agreement concluded at the Esquipulas II summit meeting;

4. *Urges* the five Central American countries to adopt immediately formulae that will enable them to overcome

the obstacles impeding the advancement of the regional peace process;

5. *Exhorts* the five Central American countries, with the utmost urgency, to promote and supplement the agreed verification machinery, with the co-operation of regional or extra-regional States and bodies of recognized impartiality and technical capacity, which have shown a desire to collaborate in the Central American peace process;

6. *Requests* the Secretary-General to afford the fullest possible support to the Central American Governments in their efforts to achieve peace, especially by taking the measures necessary for the development and effective functioning of the essential verification machinery;

7. *Appeals* to the countries which are outside the region but which have links with it and interests in it to facilitate the implementation of the agreement concluded at the Esquipulas II summit meeting and to abstain from any action which may impede such implementation;

8. *Urges* the international community and international organizations to increase their technical, economic and financial co-operation with the Central American countries for the implementation of the activities supporting the goals and objectives of the Special Plan of Economic Co-operation for Central America, as stipulated in General Assembly resolution 42/231, and as a way of assisting the efforts being made by the countries of the region to achieve peace and development;

9. *Also requests* the Secretary-General to submit a report to the General Assembly at its forty-fourth session on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "The situation in Central America: threats to international peace and security and peace initiatives".

*50th plenary meeting
15 November 1988*

43/25. Question of the Falkland Islands (Malvinas)⁵⁷

The General Assembly,

Having considered the question of the Falkland Islands (Malvinas) and having received the report of the Secretary-General,⁵⁸

Aware of the interest of the international community in the peaceful and definitive settlement by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of all their differences, in accordance with the Charter of the United Nations,

Taking note of the interest repeatedly expressed by both parties in normalizing their relations,

Convinced that such purpose would be facilitated by a global negotiation between both Governments that will allow them to rebuild mutual confidence on a solid basis and to resolve the pending problems, including all aspects on the future of the Falkland Islands (Malvinas),

1. *Reiterates its request* to the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects

Security Council, Forty-second Year, Supplement for January, February and March 1987, document S/18686.

⁵⁵ A/42/521-S/19085, annex. For the printed text, see *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987, document S/19085, annex.*

⁵⁶ A/42/911-S/19447, annex. For the printed text, see *Official Records of the Security Council, Forty-second Year, Supplement for January, February and March 1987, document S/19447, annex.*

⁵⁷ See also sect. I, footnote 8, and sect. X.B.6, decision 43/409.

⁵⁸ A/43/799.

on the future of the Falkland Islands (Malvinas), in accordance with the Charter of the United Nations;

2. *Requests* the Secretary-General to continue his renewed mission of good offices in order to assist the parties in complying with the request made in paragraph 1 above, and to take the necessary measures to that end;

3. *Also requests* the Secretary-General to submit to the General Assembly at its forty-fourth session a report on the progress made in the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Question of the Falkland Islands (Malvinas)".

54th plenary meeting
17 November 1988

43/26. Question of Namibia⁵⁹

A

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

The General Assembly,

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

Recalling also its resolution 2145 (XXI) of 27 October 1966, by which it terminated the Mandate of South Africa over Namibia and placed the Territory under the direct responsibility of the United Nations,

Recalling further 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,

Having examined the report of the United Nations Council for Namibia,⁶⁰

Having examined also the relevant chapter 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,⁶¹

Recalling other resolutions and decisions declaring the illegality of the continued occupation of Namibia by South Africa, in particular Security Council resolutions 284 (1970) of 29 July 1970 and 301 (1971) of 20 October 1971, and the advisory opinion of the International Court of Justice of 21 June 1971,⁶²

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

Recalling further its resolutions ES-8/2 of 14 September 1981 and 36/121 B of 10 December 1981, by which it called upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to

isolate it politically, economically, militarily and culturally,

Recalling the debates held at its special session on the question of Namibia and its resolution S-14/1 of 20 September 1986, adopted at that session,

Taking note of debates held by the Security Council from 28 to 30 October 1987 on the question of Namibia,⁶³ and of its resolution 601 (1987) of 30 October 1987,

Welcoming the final documents and communiqués of the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-fourth ordinary session, held at Addis Ababa from 25 to 28 May 1988,²³ the Fifth Islamic Summit Conference, held at Kuwait from 26 to 29 January 1987,⁶⁴ the Conference of Foreign Ministers of Non-Aligned Countries, held at Nicosia from 7 to 10 September 1988,⁶⁵ the Council of Ministers of the Organization of African Unity at its forty-seventh and forty-eighth ordinary sessions, held at Addis Ababa from 22 to 27 February 1988⁶⁶ and from 19 to 23 May 1988,²² respectively, the Seminar on the International Responsibility for Namibia's Independence, held at Istanbul, Turkey, from 21 to 25 March 1988,⁶⁷ and the Seminar on Efforts to Implement the United Nations Plan for the Independence of Namibia, held at Toronto, Canada, from 7 to 11 September 1988,⁶⁸

1. *Approves* the report of the United Nations Council for Namibia;⁶⁰

2. *Reaffirms* the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as recognized by the General Assembly in its resolutions 1514 (XV) and 2145 (XXI) and in subsequent resolutions of the Assembly relating to Namibia;

3. *Strongly condemns* the South African régime for its continued illegal occupation of Namibia in defiance of the resolutions of the United Nations relating to Namibia;

4. *Declares* that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the Definition of Aggression contained in General Assembly resolution 3314 (XXIX) of 14 December 1974, and supports the legitimate struggle of the Namibian people by all means at their disposal, under the leadership of the South West Africa People's Organization, to repel South Africa's aggression and to achieve self-determination, freedom and national independence in a united Namibia;

5. *Declares also* that the liberation struggle in Namibia is a conflict of an international character in terms of article 1, paragraph 4, of Additional Protocol I⁶⁹ to the Geneva Conventions of 12 August 1949,⁷⁰ and demands that South Africa accord prisoner-of-war status to all captured freedom fighters as called for by the Geneva Convention relative to the Treatment of Prisoners of War⁷¹ and the Additional Protocol thereto;

6. *Reiterates* that, in accordance with its resolution 2145 (XXI), Namibia is the direct responsibility of the United Nations until genuine self-determination and na-

⁵⁹ See *Official Records of the Security Council, Forty-second Year, 2755th to 2759th meetings.*

⁶⁰ A/42/178-S/18753, annexes I and II.

⁶¹ See A/43/667-S/20212, annex.

⁶² See A/AC.131/292.

⁶³ See A/AC.131/279.

⁶⁴ A/AC.131/294.

⁶⁵ A/32/144, annex I.

⁶⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

⁶⁷ *Ibid.*, vol. 75, No. 972.

⁵⁹ See also sect. I, footnote 7, and sect. X.B.6, decision 43/408.

⁶⁰ *Official Records of the General Assembly, Forty-third Session, Supplement No. 24 (A/43/24).*

⁶¹ *Ibid.*, Supplement No. 23 (A/43/23), chap. VIII.

⁶² *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.*