

Letter dated 20 June 1972 from the representative of the Libyan Arab
Republic to the Secretary-General

[Original: English]
[20 June 1972]

On instructions of my Government, I have the honour to refer to the letter addressed to you on 16 June 1972 by the Permanent Representative of Israel [S/10701].

Once again, the representative of Israel has attempted to evade the main issue raised by the memorandum of the Palestine Liberation Organization regarding the recent incident at Lydda Airport. In order to conceal facts concerning the shameful, criminal record of the Zionist establishment in the area during the last 25 years, the representative of Israel delivered a venomous and cheap attack against the people and the leaders of the Libyan Arab Republic.

Since the allegations expressed in the above-mentioned letter are irrelevant to the issue, I would like to recall the following:

(a) The incident at Lydda cannot be considered an isolated occurrence, but rather, a part of the continuous conflict in the Middle East, and of the troubled situation in the area. The responsibility for the tension in the Middle East belongs first to the Zionist aggression against the Palestinian people, to the Israeli desire to ensure, by force, permanent domination over Arab lands in refusing to restore to the Palestinian people their legitimate right to national existence and the right to return to their homeland.

(b) The Palestine Liberation Organization is a national liberation movement and the legitimate representative of the Palestinian people. It represents the determination of the entire Palestinian people to attain their goal of liberation from the criminal Israeli occu-

pation, to exercise their right to self-determination and to achieve national sovereignty.

(c) The Zionist invasion poses a challenge that no Arab can ignore. Consequently, the Libyan people and Government, as well as all progressive and democratic forces in the world, will answer this challenge by giving all kinds of support—moral, political and material—to the Palestinian political and military struggle. This support will continue until liberation from Israeli occupation is achieved.

The much publicized lamentation over innocent victims at Lydda is but another weapon used for propaganda by the Zionists to disclaim responsibility, to conceal facts and to confuse international public opinion. It belies an ill-concealed plan to isolate the oppressed people of Palestine and to smear and vilify the legitimate Palestinian struggle. By their crocodile tears, the Zionists hope to manipulate world sympathy and to reverse their role as executioner into that of victim.

As long as Israel pursues its aggressive expansionist policy as a bastion of imperialism in the Middle East, and as long as it persists in exiling a whole people from its native land, condemning the Palestinians to live as homeless refugees, the prospects for peace in the area will remain very dim indeed.

I have the honour to request that this letter be circulated as an official document of the General Assembly and the Security Council.

(Signed) Mansur R. KIKHIA
Permanent Representative of the
Libyan Arab Republic
to the United Nations

* Also circulated as a General Assembly document under the symbol A/8733.

DOCUMENT S/10708

Report of the Secretary-General on the implementation of Security Council
resolution 301 (1971)

[Original: English]
[21 June 1972]

1. At its 1598th meeting on 20 October 1971, the Security Council adopted resolution 301 (1971) concerning the situation in Namibia.

2. Paragraphs 11 and 15 of that resolution read as follows:

"The Security Council

" . . .

"11. Calls upon all States, in the discharge of their responsibilities towards the people of Namibia and subject to the exceptions set forth in paragraphs 122 and 125 of the advisory opinion of 21 June 1971;³¹

"(a) To abstain from entering into treaty relations with South Africa in all cases in which the Government of South Africa purports to act on behalf of or concerning Namibia;

"(b) To abstain from invoking or applying those treaties or provisions of treaties concluded by South Africa on behalf of or concerning Namibia which involve active intergovernmental co-operation;

"(c) To review their bilateral treaties with South Africa in order to ensure that they are not inconsistent with paragraphs 5 and 6 above;

"(d) To abstain from sending diplomatic or special missions to South Africa that include the Territory of Namibia in their jurisdiction;

"(e) To abstain from sending consular agents to Namibia and to withdraw any such agents already there;

³¹ 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.

"(f) To abstain from entering into economic and other forms of relationship or dealings with South Africa on behalf of or concerning Namibia which may entrench its authority over the Territory.

and

"15. *Calls upon* all States to support and promote the rights of the people of Namibia and to this end to implement fully the provisions of the present resolution."

3. Paragraph 16 of the resolution requested the Secretary-General to report periodically on its implementation.

4. By a note dated 29 October 1971, the Secretary-General transmitted the text of resolution 301 (1971) to the Governments of all States Members of the United Nations, and to Governments of States members of the specialized agencies drawing their attention, in particular, to the provisions of paragraphs 11, 15 and 16 of the resolution. The Secretary-General pointed out in his note that the report of the *Ad Hoc* Sub-Committee on Namibia³² contained information furnished by 40 States on the implementation of resolution 283 (1970) concerning the situation in Namibia. The Secretary-General further indicated that notwithstanding those replies, he was requesting that information be supplied concerning all measures which Governments had taken or might intend to take in order to give effect to the provisions of resolution 301 (1971).

5. As of 19 June 1972, 20 replies have been received. Of these, the replies received from the Federal Republic of Germany and from Mexico are simple acknowledgements. The substantive parts of the other 18 replies are reproduced in the annex.

6. In view of paragraph 13 of resolution 301 (1971) which requested the *Ad Hoc* Sub-Committee on Namibia "to continue to carry out the tasks entrusted to it by paragraphs 14 and 15 of Security Council resolution 283 (1970)", the Secretary-General also has transmitted the substantive parts of the above replies to the Sub-Committee.

ANNEX

ARGENTINA

[Original: Spanish]
[5 June 1972]

On 2 December 1970, the Minister for External Relations of the Argentine Republic sent a communication to the Ambassador of South Africa at Buenos Aires stating that the Argentine Government does not recognize any authority of South Africa with regard to Namibia and that it considers South Africa's continued presence in Namibia illegal. This communication, which constitutes a formal declaration by the Government of Argentina, was distributed as a Security Council document under the symbol S/10020.

The Government of the Argentine Republic supports the conclusions contained in the advisory opinion of the International Court of Justice of 21 June 1971 concerning the Territory of Namibia.

As a consequence of this position, the Government of the Argentine Republic is refraining from taking any action which might violate the provisions of paragraph 11 of Security Council resolution 301 (1971) and, in accordance with paragraph 15 of that resolution, is pursuing a policy designed to promote the rights of the people of Namibia in conformity with the terms of the Charter of the United Nations.

³² Official Records of the Security Council, Twenty-sixth Year, Special Supplement No. 5 (S/10330).

[Original: English]
[15 December 1971]

The Barbados Government has no economic or diplomatic relations with South Africa and fully supports the provision of paragraph 15 of Security Council resolution 301 (1971).

CYPRUS

[Original: English]
[28 January 1972]

The Minister for Foreign Affairs of the Republic of Cyprus . . . has the honour to state the following:

The Republic of Cyprus unreservedly supports the provisions of Security Council resolution 301 (1971) of 20 October 1971 as it does for all resolutions of the Security Council and the General Assembly on the question of Namibia.

The Republic of Cyprus maintains that all countries should enjoy the inalienable right of self-determination and, therefore, unconditionally supports the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Consequently, the Government of the Republic of Cyprus does not recognize the illegal South African administration in Namibia and is not bound by any bilateral treaty or agreement with either South Africa or Namibia. The Government of the Republic of Cyprus maintains no diplomatic, consular, economic, cultural or military relations with the Republic of South Africa and, of course, has no consular agents in Namibia. Furthermore, there are no economic relations between the Republic of Cyprus and Namibia.

The position of the Government of the Republic of Cyprus, as defined above, has already been published in United Nations documents S/9863 of 7 July 1970 and S/10330 of 23 September 1971.

CZECHOSLOVAKIA

[Original: English]
[23 February 1972]

In questions relating to the implementation of Security Council resolution 301 (1971), the Government of the Czechoslovak Socialist Republic proceeds from its position which has been declared in the United Nations on several occasions and which has also been forwarded to the President of the International Court of Justice on 16 November 1970, stating that:

"The Czechoslovak Socialist Republic insists on the implementation of all resolutions of the United Nations adopted in that matter, especially on the unconditional withdrawal of all military and police units and administration of South Africa from the Territory of Namibia, and on the elimination of all acts of discrimination against the people of Namibia."

The Czechoslovak Socialist Republic has had no diplomatic and consular relations with South Africa for many years and, similarly, has neither direct nor indirect commercial contacts with it because commercial relations with South Africa have been completely severed in compliance with the United Nations resolutions. Under these circumstances the Czechoslovak Socialist Republic has excluded the application of any treaties concluded by South Africa which would concern Namibia.

FINLAND

[Original: English]
[23 November 1972]

The Finnish Government has the honour to refer to its statement of 22 June 1971 and subsequently circulated as a document of the Security Council [S/10240]. The statement declared *inter alia*:

"The Finnish Government has already made it clear to the Government of South Africa that it considers South Africa's presence in Namibia illegal. The Finnish Govern-

ment will of course continue to refrain from any acts, and in particular any dealings with the Government of South Africa, implying recognition of the legality of, or lending support or assistance to, the South African presence and administration in Namibia.

"...

"The Finnish Government believes that the opinion now delivered by the Court effectively disposes of the issue of legality and should have a powerful impact on world public opinion. It will also provide an important element for the further consideration of the question of Namibia in the Security Council and the General Assembly of the United Nations."

GREECE

[Original: English]
[13 December 1971]

The Permanent Mission of Greece has the honour to recall its previous notes of 2 November 1970 and 6 June 1971, by which it has informed you of the following:

(a) Inquiries carried out by the competent Greek authorities have not revealed any activities of commercial, industrial or financial nature on the part of Greek citizens or Greek firms in the Territory of Namibia;

(b) There is no military co-operation between South Africa and Greece;

(c) Greece has no regular shipping, aviation or other transport services with Namibia, nor does she maintain diplomatic, consular or trade representation in this Territory.

HUNGARY

[Original: English]
[28 January 1972]

The Government of the Hungarian People's Republic firmly supports the just struggle of the people of Namibia for freedom and independence and strictly observes the relevant resolutions of the General Assembly and the Security Council which are based on the inalienable right of the people of Namibia to freedom and self-determination.

The Government of the Hungarian People's Republic resolutely condemns the repeated violation of the resolutions of the General Assembly and the Security Council by the racist Government of the Republic of South Africa. According to the opinion of the Hungarian Government, the responsibility for the grave situation which exists in Namibia is shared by all those States which continue to collaborate with the Government of the Republic of South Africa.

In accordance with its position of principle the Government of the Hungarian People's Republic does not maintain diplomatic, economic or any other connexions and does not plan to establish any relation with the Government of the Republic of South Africa.

IRAN

[Original: English]
[19 December 1971]

The Foreign Minister wishes to inform the Secretary-General that Iran has not entered into any agreement with the Government of South Africa which would imply recognition of the legality of South Africa's presence in Namibia.

In conformity with its long-standing anti-colonialist policy, the Government of Iran will fully observe the provisions of paragraphs 11 to 15 of Security Council resolution 301 (1971), and instructions to this effect have already been issued.

JAMAICA

[Original: English]
[1 December 1971]

The Government of Jamaica wishes to state that its policies adhere and will continue to adhere fully to the principles and provisions of Security Council resolution 301 (1971).

Jamaica's offer of two scholarships to Namibians is only one evidence of its strong support for the Namibian cause.

KUWAIT

[Original: English]
[6 December 1971]

There have not been, nor are there at present, any political, diplomatic, consular, trade or other relations with South Africa, nor has the Government of Kuwait any intention of establishing such relations in the future as long as the Government of South Africa continues to practise the policies of *apartheid* or to maintain its illegal presence in Namibia.

Kuwait closed access to its airports and seaports to any aircraft or ship belonging to South Africa, or flying or sailing under its flag with effect from 1 October 1963. Kuwait also prohibited the export of crude oil to South Africa since that date.

Kuwait recognizes the legitimacy of the movement of the people of Namibia against the illegal occupation of their Territory by the South African authorities and their right to self-determination and independence.

Kuwait recognizes the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia.

The Government of Kuwait solemnly undertakes to abstain from entering into treaty relations with South Africa and to abstain from invoking or applying treaties or provisions of treaties concluded by South Africa on behalf of or concerning Namibia which involve active intergovernmental co-operation.

Kuwait has fully complied with all United Nations resolutions pertaining to *apartheid* or Namibia.

Kuwait has consistently advocated applying coercive measures under Chapter VII of the Charter to compel South Africa to relinquish its policy of *apartheid* and to compel South Africa to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory.

Kuwait solemnly undertakes to comply with all provisions of Security Council resolution 301 (1971) and would like to see all States adhere to its provisions.

MAURITIUS

[Original: English]
[26 November 1971]

The Government of Mauritius endorses Security Council resolution 301 (1971) concerning the situation in Namibia and has nothing further to add to its note of 6 August 1971 [see S/10330].

PANAMA

[Original: Spanish]
[11 January 1972]

With reference to this matter, the Ministry of Foreign Affairs wishes to inform the Secretary-General that the Government of the Republic of Panama, pursuant to article 4 of the Constitution, upholds the principles of international law and therefore proposes to comply with resolution 301 (1971) adopted by the Security Council.

PHILIPPINES

[Original: English]
[7 February 1972]

On instructions of his Government, the Acting Permanent Representative wishes to inform the Secretary-General that the Philippine Government has consistently given support to all United Nations collective actions to protect the rights and interests of the people of Namibia. To this end, the Philippine Government has not entered into treaty relations, abstained from sending diplomatic and consular agents, refrained from entering into economic and other forms of relationship with the Government of South Africa in which that Government purports to act on behalf of or concerning Namibia.

ROMANIA

[Original: French]
[6 January 1972]

The Socialist Republic of Romania supports and observes the provisions of Security Council resolution 301 (1971) and other Security Council resolutions concerning Namibia. It is in favour of the immediate and unconditional withdrawal of the South African authorities from Namibia and of allowing the people of that Territory freely to exercise their right to liberty and independence.

Romania has no diplomatic, consular, political, economic or other relations with the Government of South Africa, nor has it any bilateral treaties with that country.

SINGAPORE

[Original: English]
[7 January 1972]

The Government of Singapore has taken note of resolution 301 (1971) concerning the situation in Namibia, adopted by the Security Council on 20 October 1971, and declares that the Government is complying with the provisions of that resolution. The Government of Singapore wishes to reiterate that its nationals and companies have no dealings whatsoever with South Africa, its nationals or companies in the Territory of Namibia or relating thereto. The Government of Singapore maintains no military co-operation with South Africa. The Government of Singapore has no diplomatic, consular, trade or other representation in Namibia. The Government of Singapore has entered into no treaty with South Africa which applies to Namibia nor has the Government of Singapore done any other act which expressly or impliedly recognizes or supports the illegal occupation of Namibia by South Africa.

TRINIDAD AND TOBAGO

[Original: English]
[26 January 1972]

The Minister for External Affairs of Trinidad and Tobago . . . has the honour to inform the Secretary-General that Trinidad and Tobago has no diplomatic, consular or other relations with the Government of South Africa.

Moreover, the Government of Trinidad and Tobago has accepted Namibia travel and identity documents in furtherance of its recognition of the rights of the people of Namibia and of that country's territorial integrity.

TURKEY

[Original: French]
[31 January 1972]

The Turkish Government, which maintains no diplomatic or consular relations with South Africa, has taken note with

satisfaction of Security Council resolution 301 (1971) and declares its readiness to abstain, as usual, from any kind of activity which could be construed as implying recognition of the authority of the Government of the Republic of South Africa over the Territory of Namibia, and to defend the rights of the Namibian people by implementing fully the provisions of the above-mentioned resolution.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]
[18 April 1972]

The Soviet Union consistently advocates the speedy and final elimination of colonialist and racist régimes, whose continued existence contradicts the principles of the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples. In its policy the Soviet Union is guided by the position, which was confirmed by the twenty-fourth Congress of the Communist Party of the Soviet Union, that United Nations decisions concerning the elimination of the remaining colonialist régimes must be fully implemented and that manifestations of racism and *apartheid* merit general condemnation and boycott.

On the basis of this position of principle, the Soviet Union resolutely backs the lawful aspiration of the people of Namibia for independence, and supports all the basic United Nations decisions on Namibia, in particular the General Assembly and the Security Council resolutions which recognize the termination of South Africa's Mandate over Namibia and call upon the Government of South Africa to withdraw its administration from Namibia.

The Soviet Union also voted for Security Council resolution 301 (1971) and General Assembly resolution 2871 (XXVI) on the question of Namibia, which reaffirm the national unity and territorial integrity of Namibia, and recognize the legitimacy of the movement of the people of that country against the forcible occupation of their Territory by the South African authorities and their inalienable right to self-determination and independence.

As to the reference in the Secretary-General's letter to paragraphs 11 and 15 of resolution 301 (1971), the Permanent Mission again declares that the Soviet Union maintains no diplomatic, consular, economic, military or any other relations with South Africa, has no economic or other interests in Namibia and also has concluded no bilateral agreements with South Africa, and fully supports and complies with the provisions of resolution 301 (1971) and the other Security Council resolutions on the situation in Namibia.

In accordance with its policy of principle, the Soviet Union is making and will continue to make efforts to find effective ways and means of bringing an end to the illegal occupation of the Territory of Namibia by the South African racists.

DOCUMENT S/10709

Letter dated 22 June 1972 from the representative of India to the President of the Security Council concerning the decision of the Council on hijacking

[Original: English]
[22 June 1972]

On 20 June 1972, we adopted by consensus a decision of the Council regarding the problem of hijacking [S/10705].

While India accepted the consensus as showing concern with the evil of hijacking and indicating the course of action all can pursue, we have considerable reservation on the procedure followed. Any action or decision by the Council without a formal meeting, particularly when the provisional rules of procedure have not been suspended, can have serious and far-reaching legal and other consequences.

While, therefore, the delegation of India continues to believe that informal consultations are both valid and valuable, we should try to ensure that the