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QUESTION OF SOUTH WEST AFRICA

Report of the Secretary-General

I. INTRODUCTION

1. At its 1655th plenary meeting, on 16 December 1967, the General Assembly adopted resolution 2324 (XXII), the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Condemns the illegal arrest, deportation and trial at Pretoria of the thirty-seven South West Africans as a flagrant violation by the Government of South Africa of their rights, of the international status of the Territory and of General Assembly resolution 2145 (XXI);

"2. Calls upon the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the South West Africans concerned;

"3. Appeals to all States and international organizations to use their influence with the Government of South Africa in order to obtain its compliance with the provisions of paragraph 2 above;

"4. Draws the attention of the Security Council to the present resolution;

"5. Requests the Secretary-General to report as soon as possible to the Security Council, the General Assembly, the United Nations Council for South West Africa and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on the implementation of the present resolution."

* Also issued under the symbol A/7045.

2. By a letter dated 19 December 1967, the Secretary-General transmitted the text of the above resolution to the Government of South Africa. In his letter the Secretary-General stated that he would be grateful to receive as soon as possible information on the action taken by the Government of South Africa in response to the resolution, for inclusion in his report to be prepared pursuant to operative paragraph 5 of the resolution.
3. By a letter of the same date, the Secretary-General also transmitted the text of the resolution to the President of the Security Council (S/8306).
4. By letters dated 21 December 1967 and by a note dated 8 January 1968, the Secretary-General transmitted the text of the resolution to all States Members of the United Nations or members of the specialized agencies, to the specialized agencies and to the inter-governmental organizations concerned. In these communications, the Secretary-General drew attention to the appeal contained in operative paragraph 3 and requested the Governments or organizations to inform him as soon as possible of the action taken in response to that appeal.
5. On 23 January 1968, the Secretary-General dispatched cablegrams to the Permanent Representative of South Africa and to the above-mentioned States and organizations to which he had transmitted the resolution, drawing attention to the fact that the South African court would shortly reconvene to hear the verdict and again requesting them to inform him as soon as possible of the action which they had taken pursuant to the resolution.
6. As at 25 January, no reply has been received from the Government of South Africa.
7. As of the same date, the Secretary-General has received replies from nine States, seven specialized agencies and three inter-governmental organizations. With the exception of the reply from Sweden, the substance of which is reproduced in section II below, none of these communications contained information on action taken pursuant to operative paragraph 3 of the resolution.
8. Further replies to the Secretary-General's communications containing information on action taken pursuant to operative paragraph 3 of the resolution will be circulated in an addendum to the present report.

II. REPLIES RECEIVED FROM GOVERNMENTS

SWEDEN

[Original: English]
25 January 1968

The Swedish Government to-day transmitted the following message to the Government of South Africa:

"The trial of thirty-five South West Africans, which is to be resumed in Pretoria shortly, is followed with intense interest in Sweden. The reason for our concern is that the accused are fighting for certain political objectives with which public opinion in Sweden is in deep sympathy. Furthermore, the charges are based on legislation which has retroactive effect and which also in other respects flagrantly contradicts the standards of criminal law in any society founded on the rule of law. The legislation is being applied in a territory for which the United Nations, acting within its competence and with the support of an overwhelming majority of member countries, has assumed direct responsibility.

"The Swedish Government addresses an urgent appeal to the Government of South Africa to take all necessary measures to discontinue the trial and to release and repatriate the accused."
