



UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/11713
6 June 1975

ORIGINAL: ENGLISH

Guyana, Iraq, Mauritania, the United Republic of Cameroon
and the United Republic of Tanzania: draft resolution

The Security Council,

Recalling General Assembly resolution 2145 (XXI) of 27 October 1966, which terminated South Africa's mandate over the Territory of Namibia, and resolution 2248 (S-V), of 19 May 1967, which established the United Nations Council for Namibia, as well as all other subsequent resolutions on Namibia, in particular resolution 3295 (XXIX) of 13 December 1974,

Recalling Security Council resolution 245 (1968) of 25 January and 246 (1968) of 15 March 1968, 264 (1969) of 12 August 1969, 276 (1970) of 30 January, 282 (1970) of 23 July, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October and 301 (1971) of 20 October 1971, 310 (1972) of 4 February 1972 and 366 (1974) of 17 December 1974, which confirmed General Assembly decisions,

Recalling the advisory opinion of the International Court of Justice of 21 June 1971 that South Africa is under obligation to withdraw its presence from the Territory,

Taking note of the letter dated 27 May 1975, addressed by the Minister for Foreign Affairs of South Africa to the Secretary-General (S/11701),

Having heard the statement by the President of the United Nations Council for Namibia,

Having considered the statement by Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO),

Gravely concerned about South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with resolutions and decisions of the General Assembly and the Security Council, as well as with the advisory opinion of the International Court of Justice of 21 June 1971,

Gravely concerned at South Africa's brutal repression of the Namibian people and its persistent violations of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia,

Reaffirming the inalienable and imprescriptible rights of the people of Namibia to self-determination, national independence and the preservation of their territorial integrity,

Noting with concern that South Africa has not made the declaration demanded in paragraph 3 of resolution 366 (1974) of the Security Council,

Further noting with the deepest concern that the demands in paragraphs 4 and 5 in the aforementioned resolution have been totally ignored by South Africa,

1. Condemns South Africa's failure to comply with terms of Security Council resolution 366 (1974) of 17 December 1974;
2. Condemns once again the continued illegal occupation of the Territory of Namibia by South Africa;
3. Further condemns the illegal and arbitrary application by South Africa of racially discriminatory and repressive laws and practices in Namibia;
4. Demands that South Africa put an end forthwith to its policy of bantustans and the so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;
5. Further demands that South Africa proceed urgently with the necessary steps to withdraw from Namibia and, to that end, to implement the measures stipulated in resolution 366 (1974);
6. Reaffirms the legal responsibility of the United Nations over Namibia and demands that South Africa take appropriate measures to enable the United Nations Council for Namibia to establish its presence in the Territory with a view to facilitating the transfer of power to the people of Namibia;
7. Declares that in order for the people of Namibia to freely determine their own future it is imperative that free elections be organized under the supervision and control of the United Nations as soon as possible and, in any case, not later than 1 July 1976;
8. Affirms its support for the struggle of the people of Namibia for self-determination and independence;
9. Acting under Chapter VII of the United Nations Charter,
 - (a) Determines that the illegal occupation of the Territory of Namibia by South Africa constitutes a threat to international peace and security;

(b) Decides that all States shall prevent:

- (i) Any supply of arms and ammunition to South Africa;
- (ii) Any supply of aircraft, vehicles and military equipment for use of the armed forces and paramilitary organizations of South Africa;
- (iii) Any supply of spare parts for arms, vehicles and military equipment used by the armed forces and paramilitary organization of South Africa;
- (iv) Any activities in their territories which promote or are calculated to promote the supply of arms, ammunition, military aircraft and military vehicles to South Africa and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

10. Decides that all States shall give effect to the decision set out in paragraph 9 (b) of this resolution notwithstanding any contract entered into or licence granted before the date of this resolution, and that they notify the Secretary-General of the measures they have taken to comply with the aforementioned provision;

11. Decides that provisions of paragraph 9 (b) shall remain in effect until it has been established, to the satisfaction of the Security Council, that the illegal occupation of the Territory of Namibia by South Africa has been brought to an end;

12. Requests the Secretary-General, for the purpose of the effective implementation of this resolution, to arrange for the collection and systematic study of all available data concerning international trade in the items which should not be supplied to South Africa under paragraph 9 (b) above;

13. Requests the Secretary-General to report to the Security Council concerning the implementation of paragraph 7 and other provisions of this resolution;

14. Decides to remain seized of the matter and to meet on or before 30 September 1975 for the purpose of reviewing South Africa's compliance with the terms of the relevant paragraphs of this resolution, and in the event of non-compliance by South Africa to taking further appropriate measures under the Charter.
