

UNITED NATIONS



**SECURITY COUNCIL
OFFICIAL RECORDS**

TWENTY-THIRD YEAR

1387th MEETING: 25 JANUARY 1968

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THIRTEEN HUNDRED AND EIGHTY-SEVENTH MEETING

Held in New York on Thursday, 25 January 1968, at 3 p.m.

President: Mr. Agha SHAHI (Pakistan).

Present: The representatives of the following States: Algeria, Brazil, Canada, China, Denmark, Ethiopia, France, Hungary, India, Pakistan, Paraguay, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1387)

1. Adoption of the agenda.

2. The question of South West Africa:

Letter dated 24 January 1968 addressed to the President of the Security Council by the representatives of Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Thailand, Togo, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia (S/8355).

Expression of thanks to the retiring President and to the retiring members and welcome to the new members of the Security Council

1. The PRESIDENT: Before taking up the question on the provisional agenda of the meeting, it is my privilege, in accordance with an agreeable and time-honoured practice and on behalf of all my colleagues in the Council, to pay tribute to my predecessor in the Chair, Chief Adebo of Nigeria. His breadth of vision, sagacity and dedication to the United Nations are well known to all of us who have had the privilege of working with him in the world Organization. All his colleagues acknowledge the high qualities of statesmanship that he brought to our counsels so strikingly last month, particularly when the Council dealt with the question of Cyprus. It was largely due to his wise guidance of its deliberations that the Council was able to remove the threat to peace posed by that question. It is undoubtedly a loss that the services of this great son of Africa will no longer be available to the Security Council, the General Assembly, or the other deliberative organs of the United Nations. Nevertheless it is comforting to know that he will be serving the world Organization at a high level in the Secretariat. We have no doubt that he will add lustre to any office he holds.

2. I should now like to say a few words on behalf of the Council in deep appreciation of the contributions made by the outgoing members of the Security Council to the cause of international peace and security.

3. Ambassador Ruda of Argentina, Ambassador Tarabanov of Bulgaria, Ambassador Matsui and Ambassador Tsuruoka of Japan, Ambassador Keita and Ambassador Kante of Mali, and Chief Adebo of Nigeria have rendered outstanding services during their tenure of membership of the Council. It is our hope that the high example which they have set will be followed by those of us who represent the newly elected members.

4. I should also like to take this opportunity to welcome the new members, Ambassador Bouattoura of Algeria, Ambassador Csatorday of Hungary, Ambassador Solano López of Paraguay and Ambassador Diop of Senegal. All these distinguished representatives are held in great esteem in the United Nations. In negotiations, as well as in the deliberations of its various organs, they have given proof of their great abilities and devotion to the principles enshrined in the Charter and have sought to promote its high purposes. They represent nations and civilizations which have made great contributions to the progress of mankind.

5. As Pakistan takes its seat in the Security Council, may I, with the permission of the Council, now speak as representative of PAKISTAN.

6. As laid down by President Ayub Khan, the policy of the Government of Pakistan endeavours to promote the application of the following, among other fundamental principles, through the United Nations: first, inadmissibility of the threat or use of force in international relations; second, right of self-determination of peoples under alien or colonial rule; third, respect for human rights and fundamental freedoms regardless of race, language or religion; fourth, faithful observance of international commitments; fifth, peaceful settlement of disputes by the means envisaged in Article 33 of the Charter of the United Nations. It is in the light of these principles that Pakistan will address itself to the grave and complex issues which confront the Security Council in the discharge of its special responsibility for the maintenance of peace and security.

7. We are mindful that the Charter requires the Council to act on behalf of all Members of the United Nations. The Council's capacity to do so has undoubtedly been enhanced by its enlarged composition. In a sense, members of the Security Council represent but a single constituency, acting for the entire membership of the United Nations. We are given a common mandate: to act in accordance with the

Charter. We have made a common pledge to uphold the integrity of the Security Council. I need hardly say how carefully, in the face of events and their pressures, this integrity needs to be preserved. I need hardly emphasize that this integrity would be jeopardized if ever the Council were to disregard its considered pronouncements on the questions of which it remains seized.

8. As we start a new year in our work here it is our prayer that the Council will devote itself to the task of building peace on the bedrock of justice, for it is only a just peace that will endure.

Adoption of the agenda

9. The PRESIDENT: The provisional agenda for this afternoon's meeting of the Security Council is contained in document S/Agenda/1387.

10. The first item is the adoption of the agenda. If I hear no objection, I shall take it that the agenda

11. I call on the representative of Algeria on a point of order.

12. Mr. BOUATTOURA (Algeria) (*translated from French*): I am sorry to interrupt you, Mr. President, in view of the urgency of the question inscribed on the provisional agenda for this afternoon's meeting of the Council. However there is a point on which I should like to have some clarification. Before the agenda is adopted, may I ask if I am right in assuming that the Secretary-General's reports on the credentials of representatives are considered to have been adopted by the Security Council? I should be grateful, Mr. President, for any clarification you could give my delegation on this matter.

13. The PRESIDENT: In reply to the question raised by the representative of Algeria, the Chair is given to understand that documents regarding the credentials of members of the Security Council have been circulated by the Secretariat from time to time.

14. Mr. BOUATTOURA (Algeria): (*translated from French*): I am sorry, Mr. President, for having to take the floor again. If my understanding is correct, it is Security Council practice tacitly to approve the reports of the Secretary-General concerning the credentials of representatives. However, if I may refer to the provisional rules of procedure, particularly to rule 15, it is clear that:

"The credentials of representatives on the Security Council and of any representative appointed in accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval."

15. Does this mean a tacit approval, or is it necessary for these reports to be approved explicitly?

16. The PRESIDENT: In answer to the request for clarification made by the representative of Algeria, I am given to understand that as Member States take their seats in the Council the reports on the credentials of particular

Member States are circulated by the Secretary-General. It has not been the practice for some time to take up the question of credentials in the Council itself. However, if any member of the Council wishes to make observations with regard to the question of the credentials of any particular Member State, I shall give him the floor.

17. Mr. BOUATTOURA (Algeria) (*translated from French*): In the view of my delegation, the provisional rules of procedure of the Security Council are perfectly clear. The Secretary-General submits reports on the credentials of the representatives, and it is up to the Security Council to approve these reports. According to practice, as the President has just indicated, this approval is implicit; it is tacit. But as soon as any remark or objection is made with respect to any report of the Secretary-General, it becomes necessary, in my delegation's opinion, for the report to be approved explicitly.

18. The PRESIDENT: With reference to the statement made a few moments ago by the representative of Algeria, may I read out rule 15 of the provisional rules of procedure of the Security Council:

"The credentials of representatives on the Security Council and of any representative appointed in accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval."

19. The representative of Algeria has raised the question whether, if the credentials of a particular member of the Security Council are challenged, the matter should not be considered by the Council. I hope I have correctly understood the point made by the representative of Algeria. If so, I should like to take the views of the Council on this matter. Does any representative wish to speak?

20. Mr. BOUATTOURA (Algeria) (*translated from French*): Mr. President, you have just expressed most eloquently the point which my delegation had in mind. Nevertheless, I should like to make one additional remark. In my delegation's opinion, rule 15 of the rules of procedure should be read in the context of all the rules in chapter III, which deals with representation and credentials. Referring to rule 17, I find that it states:

"Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives", and I should like to stress the last part of this rule "until the Security Council has decided the matter."

21. Consequently, if any delegation raises objections concerning the credentials of one or more representatives on the Security Council, it is understood that the Council must take a decision on the matter. If this interpretation is not correct, I should be very grateful, Mr. President, if you would be so good as to correct me.

22. The PRESIDENT: The representative of Algeria has drawn our attention to the provisions of rules 15 and 17 of the provisional rules of procedure of the Security Council. Does any representative wish to speak?

23. Lij Endalkachew MAKONNEN (Ethiopia): It is not my intention to speak on the procedural points raised by my colleague and friend the representative of Algeria, but I feel it my duty to call the attention of the Council to the fact that today is a day when we should do our utmost to avoid anything that may delay the urgent action required of the Council, and I am very fearful that if we were to enter into any kind of procedural debate or discussion we should lose the race with time that we must bear in mind in dealing with this very grave question that has come before the Council today. Therefore, without passing any judgement on the comments made by anyone around this table, and without wishing to appear to object or to take any position which is contrary to that taken by any other representative, I would simply urge that you, Mr. President, help us expedite our work so that the urgent action required of us can be carried out without delay. We cannot afford to have any delay at this time.

24. The PRESIDENT: In regard to the point raised by the representative of Ethiopia about the urgency of the matter of which the Council is seized at the present moment, I am fully conscious that we need to proceed in an expeditious manner and to reach a decision before the Council adjourns this evening. Human lives are at stake, general principles of law recognized among civilized nations have been violated, and this Council must therefore act expeditiously. At the same time, I consider that the question raised by the representative of Algeria is an important one and if there is no objection, I should like, on behalf of the Security Council, to request the Secretary-General to present to us some information in regard to the recent practice on the credentials of new members of the Security Council. I understand it is only reports on the credentials of new members that are circulated, but we are not quite clear as to the practice that is followed and whether the procedures adopted comply with the requirements of the provisional rules of procedure. This is a subject of great importance to which, no doubt, the Security Council would like to turn its attention at the appropriate time. For the moment, I would appeal to my colleague the representative of Algeria to let me proceed to take up the next item on the agenda, which is the adoption of the agenda, unless he would like to make some further comments.

25. Mr. BOUATTOURA (Algeria) (*translated from French*): In my first remarks, I said that my delegation was aware of the urgency of the question on the Security Council's provisional agenda. As you have emphasized, however, Mr. President, the questions my delegation has raised are as important in your view as in that of the Algerian delegation. I should like to assure my distinguished colleague and friend, the representative of Ethiopia, that my concern is not to prolong the Council's debates, particularly in view of the urgency of the situation, which you, Mr. President, and our colleague from Ethiopia have stressed, as did I at the beginning of my remarks.

26. Nevertheless, my delegation considers that clarification is necessary with respect to the last question: namely, are we to understand that, if there are objections to the reports submitted by the Secretary-General on the credentials of representatives, those reports are subject to the Council's decision precisely for that reason?

27. You may rest assured, Mr. President, that my delegation will co-operate with you and with all the members of the Council to speed the course of our debates so that we may quickly reach a unanimous decision on the item on our provisional agenda. However, my delegation feels that some clarification is essential before we proceed.

28. The PRESIDENT: With reference to the intervention made by the representative of Algeria, it is clear that the provisions of rule 17 of the provisional rules of procedure of the Security Council are mandatory. They are explicit that if the credentials of a Member State have been objected to, the representative of that State "shall continue to sit with the same rights as other representatives until the Security Council has decided the matter".

29. In this connexion, I have already stated that it would be necessary to obtain information about the recent practice on the question of credentials of members of the Security Council and that we should like to have a report from the Secretary-General. I trust that this will meet the viewpoint of the representative of Algeria who, I note, has raised a general question of principle.

30. Mr. BOUATTOURA (Algeria) (*translated from French*): My delegation is satisfied, Mr. President, with the observations you have just made. We should merely like to point out that this decision, in its spirit, applies not only to the credentials covered by the Secretary-General's reports since new Member States were elected to this Council, but includes all reports concerning the credentials of representatives sitting in the Security Council.

31. The PRESIDENT: With the permission of the Council, may I propose that we take up for consideration the provisional agenda for this meeting. The provisional agenda is contained in document. . . . I call on the representative of the Soviet Union.

32. Mr. MÓROZOV (Union of Soviet Socialist Republics) (*translated from Russian*): Mr. President, forgive me for interrupting you. I thought that you would continue with your comments on the matter raised by the Algerian representative.

33. I should like to note that the statement just made by the representative of Algeria is, in my opinion, completely in accordance with the rules of procedure and the functions which the Secretary-General must discharge under the provisions of the rules of procedure. These have already been referred to by the representative of Algeria and I do not propose to repeat them since, in my opinion, the matter is clear enough. I wish to state my strong support of the interpretation of the relevant provisions given by the representative of Algeria regarding the procedure for verification of the credentials of members of the Security Council and the submission of the results of such verification to the Council for ratification. I would stress the fact that the representative of Algeria said, in his latest statement, that such a procedure naturally applied to all members of the Council without exception.

34. The PRESIDENT: I take note of this statement by the representative of the Soviet Union.

35. Mr. BERARD (France) (*translated from French*): I do not intend to take up the Council's time with this question. I should like merely to say that my delegation has listened most attentively to the Algerian representative's statement concerning rules 16 and 17 of our rules of procedure, that my delegation shares the views of the Algerian delegation on this point and that we heard with great interest, Mr. President, your remarks to the effect that this matter does indeed require clarification, which the Council will be given. I therefore look forward to that clarification with interest.

36. The PRESIDENT: I take it that no other member of the Council wishes to make observations on this important matter this afternoon. I have taken note of the expression of views of the representative of Algeria, the representative of the Soviet Union and the representative of France. I have already stated that a report on the practice in this regard will be awaited by the Security Council from the Secretary-General,¹ and I have no doubt that he will also deal with the very important question raised in the statements of the three representatives that the report on the credentials should include the status of the credentials of all members of the Security Council.

37. I trust that this summing up by the President is satisfactory to the Council. If I hear no opinion to the contrary, I shall proceed with the business of the Council for this afternoon.

38. The provisional agenda for this afternoon's meeting of the Security Council is contained in document S/Agenda/1387. The first item on that agenda is "Adoption of the agenda". If I hear no objection, I shall . . .

39. Mr. MISHRA (India): My delegation wishes to draw the attention of the Security Council to document S/8353 which contains a letter dated 23 January 1968 from the President of the United Nations Council for South West Africa. My delegation wishes to suggest that this letter should also be put on our agenda.

40. The PRESIDENT: The representative of India has proposed that our agenda for this afternoon should include document S/8353 which is a letter dated 23 January 1968 from the President of the United Nations Council for South West Africa addressed to the President of the Security Council. If I hear no objection, I shall take it that the Council approves the inclusion of this document in this afternoon's agenda.

It was so decided.

The agenda, as amended, was adopted.

The question of South West Africa:

Letter dated 24 January 1968 addressed to the President of the Security Council by the representatives of Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo (Brazzaville),

Congo (Democratic Republic of), Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Thailand, Togo, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia (S/8355);

Letter dated 23 January 1968 addressed to the President of the Security Council by the President of the United Nations Council for South West Africa (S/8353)

41. The PRESIDENT: The representative of Nigeria has submitted a request that he be invited to participate without vote in the Council's consideration of the question which has just been inscribed on the agenda. In accordance with the practice followed by the Council in connexion with questions considered previously I propose, if there is no objection, to invite the representative of Nigeria to participate in the discussion without the right to vote.

It was so decided.

At the invitation of the President, Mr. B. A. Clark (Nigeria), took a place at the Council table.

42. The PRESIDENT: This meeting of the Security Council has been convened after consultation with my colleagues on the Council, in response to the request signed on 24 January 1968 by the representatives of forty-nine Member States which was circulated in document S/8355. I have been informed that Ceylon, Cyprus, Japan and Tunisia are being added to the list of sponsors originally listed in that document, as is indicated in documents S/8355/Add.1 and 2, dated 25 January 1968.

43. In this connexion I should like to draw attention also to the letter addressed to the President of the Security Council on 23 January 1968 by the President of the United Nations Council for South West Africa and contained in document S/8353, which has also been included in the agenda. The President of the Council for South West Africa has also forwarded a memorandum on the question this afternoon which will be circulated as soon as possible in document S/8353/Add.1.

44. Moreover, the Secretary-General has prepared a report on the matter which has been circulated as document S/8357, dated 25 January 1968.

45. Mr. BOUATTOURA (Algeria) (*translated from French*): I am very grateful for the kind words which you have addressed to me, Mr. President, and I feel it is my duty to place particular emphasis on the fortunate combination of circumstances whereby during this first month, at this first meeting, the first time our delegation has taken part in the Council's work, it is you, the representative of Pakistan, a country with which Algeria maintains and continues to develop the closest ties, who have taken up the task of guiding our debates. Our views reflect those of the Council, which places its unqualified trust in you. The votes which have brought Algeria to the Security Council some five years after its admission to this Organization betoken an

¹ See *Official Records of the Security Council, Twenty-third Year, Supplement for January, February and March 1968*, document S/8365.

encouraging spirit of goodwill, rather than any special merit. We see this goodwill above all in the broad support which Africans and Arabs, and the Third World in general have given my country. That is a moral debt which we must repay. In order that this objective may be achieved, the implementation of the principles set forth in our Charter, towards which we all must strive, will be the object of our highest consideration and devotion without pretence or holding back.

46. Our Organization is amply provided with machinery for communicating the spirit of its active and unselfish mission. Indeed, for the countries of the Third World, that machinery and that mission are instrumental in inspiring the gradual evolution of their world's institutions. It is clear that the changes we desire everywhere demand a reassessment of the facts and a constant, arduous search for the means of achieving our ideal. By this I mean, of course, the maintenance and preservation of peace, which, because of its fundamental importance, has been entrusted to the primary body of the United Nations, the Security Council.

47. We thus see that a close bond has been established between this Council and the very concept of the preservation of peace. It may have appeared, it is true, that a certain perhaps deliberate confusion had insinuated itself into the minds of some when it became necessary to make a distinction between safeguarding security and preserving established situations. To make this observation is not so much to point an accusing finger, as to emphasize what we truly consider to be the underlying disease preventing calmness in international relations. Its symptoms can be seen as soon as we look, however cursorily, at this Council's agenda.

48. Exactly what is this disease?

49. In the Middle East, it is not enough for nations to see their existence threatened; their ancestral lands are overrun as well. In South-East Asia, peoples are being subjected to endless torments for no other reason than that they vigorously assert their right to self-determination, to national unity and to political and territorial integrity. These conflicts, because they pose a direct danger to international peace, might lead some to misjudge the nature and to underestimate the implications of other conflicts which, since they are taking place primarily in southern Africa, threaten suddenly to plunge one of the continents of the Third World into the agonies of war.

50. This instability, these conflicts, these wars are, in our view, the result of a twofold dichotomy: between action and the philosophy upon which it is supposedly based, and between the powerful and the less powerful.

51. The guiding principle of the members of this Council and of this Council itself can and must be to substitute harmony for discord and contradiction. If this aspiration were to be generally accepted, the Security Council, even though it would certainly not be able to resolve every problem and every dispute, would enjoy greater authority and prestige, which would help create the necessary conditions for a coexistence which would be peaceful and dynamic, because no one would be excluded.

52. Helpful decisions, no longer cloaked in ambiguity, would then be reached almost of necessity and the present apparently insurmountable obstacles to the achievement of that harmony and balance we are all aiming at would, without a doubt, vanish.

53. Before I conclude this brief introduction, I should like to pay a special tribute to the two representatives of our sister African republics, Mali and Nigeria, for the dedication and wisdom they have shown during the long and arduous debates of this Council, particularly in the past year. Ambassador Chief Adebo's particularly helpful contributions have been justly rewarded by the confidence placed in him by the Secretary-General, who has entrusted him with functions of great importance in the United Nations. Our friend Ambassador Kante, although he has joined us near the end of his country's tenure of a seat in the Security Council, has quickly shown himself to be a diplomat of great ability—a quality, I may say, which is by no means rare in Mali.

54. In requesting an urgent meeting of the Security Council in order to examine the situation created by the *de facto* authorities in South West Africa, the African and Asian delegations were voicing the emotions kindled by the actions of South Africa in a territory no longer entrusted to its responsibility.

55. They felt it necessary to draw the Council's attention to the dangers threatening the future of the peoples of South West Africa and to the possible implications of the situation for the peace and security in that part of the world.

56. You will recall, Mr. President, that the General Assembly, in adopting resolution 2145 (XXI), decided to assume direct responsibility for South West Africa. Nearly all the States Members of the United Nations considered that the South African authorities were no longer in a position to continue administering South West Africa, since their policy of racial discrimination violated the principles of the Mandate entrusted to them. Resolution 2145 (XXI) thus terminated that Mandate and withdrew from South Africa all the powers it had held. That decision reflected the unanimous will of the United Nations to liberate the people of South West Africa from domination and *apartheid* and to start them on the road to freedom and independence.

57. Recognizing also the necessity of promoting conditions favourable to the establishment of an independent State, the General Assembly, at its fifth special session, created the United Nations Council for South West Africa. That Council, which alone has authority, legally conferred on it by the United Nations, over the region was entrusted primarily with establishing conditions enabling the people of South West Africa peacefully to achieve national sovereignty and independence. In establishing the Council the United Nations provided for the effective implementation of the responsibilities it had assumed in adopting resolution 2145 (XXI).

58. In defiance of the majority of the United Nations, South Africa rejected that decision. South Africa's refusal

to recognize the termination of the Mandate it had previously held and the authority of the Council established by the United Nations, is merely a reassertion of the contempt in which it has always held the United Nations.

59. By rejecting any contact with the Council for South West Africa, South Africa wishes to show clearly and deliberately that it is capable of disregarding United Nations decisions which would be harmful to its interests, and intends, in doing so, to serve as an example to those States which might still be afraid to defy the law.

60. This *de facto* perpetuation of South Africa's administrative authority in that Territory has served as a pretext for arresting thirty-five South West Africans and bringing them before South African tribunals which have no territorial jurisdiction.

61. These irregular arrests violate the decisions of the General Assembly, for the inhabitants of South West Africa are no longer under the authority of South Africa. This travesty of a trial deliberately flaunts the authority of the United Nations.

62. In threatening the lives of these thirty-five arbitrarily detained prisoners, South Africa has once again deliberately and provocatively chosen to outrage international opinion. Having "wisely" postponed this illegal trial on the eve of the opening of the twenty-second session of the General Assembly, South Africa believed itself entitled to draw from our work the lesson that it can do whatever it likes in the future.

63. It has taken steps intensifying persecution and repression—and I need hardly recall here their resemblance to certain methods used in the recent past—directly threatening the existence of an entire population. The death penalty which these condemned prisoners will face tomorrow will constitute, for the racist State of Pretoria, the acid test of the weakness of the United Nations.

64. It was because the General Assembly was aware of the inevitable repercussions of this wholly arrogant challenge that it deemed urgent the necessity of taking a decision.

65. South Africa administers South West Africa and exercises its repression over the inhabitants of that territory by virtue of a law which is non-existent for all, with the exception, needless to say, of its unhappy comrade, Portugal.

66. The urgency of finding a solution to the problem with which we are confronted certainly does not escape the members of the Council. The lives of thirty-five persons who legitimately lay claim to the protection of the United Nations, because the United Nations is the trust authority, are in danger. We are entirely responsible for the fate of these people, for we have solemnly accepted that responsibility. Our most urgent duty is therefore to prevent this heinous crime from taking place, and the Council must take the necessary measures to enjoin the Pretoria authorities to free the thirty-five prisoners immediately and permit them to return to their country.

67. In any case, practical, concrete measures must be envisaged, enabling the United Nations fully to accomplish

its task in the long run. That is the only measure whereby the South African authorities will understand that their attitude of systematic refusal cannot persist indefinitely. South West Africa must be guided towards full independence without threat or hindrance. It is one of the Security Council's duties to help attain that objective, so that violence and instability may be banished from that country and from the entire region of which it is a part.

68. In conclusion, may I be permitted to say that it would be useful for our Council to reaffirm its authority in a field where it has assumed such great responsibility. If we put ourselves in a position now to respond forcefully to the test which Pretoria would have us undergo—deliberately, believe me—we shall effectively restore the prestige of our Organization, and we may be sure we shall not have to demonstrate our authority again in the future.

69. If we do not act in this way, our future work will inevitably be more arduous, and we shall have demonstrated not only our incapacity, but also the inconsistency of our ideal of international co-operation, to those who dream of destroying it.

70. The PRESIDENT: There are twelve more speakers on the list. Before giving the floor to the next speaker, the representative of Ethiopia, I would express the hope that members of the Council will bear in mind the urgency of the situation which confronts it and the imperative need to reach a decision in this matter before the conclusion of this meeting.

71. Lij Endalkachew MAKONNEN (Ethiopia): Mr. President, I should like first of all to welcome you to the Security Council and to congratulate you on your election to the high office of President of the Council for the month of January. It has been my pleasure and privilege to be associated with you since your arrival here at the United Nations, and all my contacts with you have confirmed my expectation that the United Nations will benefit greatly from the vast experience that you have gained in the service of your Government both here at the United Nations previously and elsewhere in the world. Your return to the United Nations and your participation in the work of the Security Council will, I am sure, prove to be a great asset to our mutual endeavour in the Council and in the Organization as a whole. I wish to assure you of the co-operation and goodwill of the Ethiopian delegation.

72. I should also like to extend a hand of friendship and welcome to the new members of the Council, my friends and colleagues, the representatives of Algeria, Senegal, Hungary and Paraguay, and to assure them of my delegation's full and sincere co-operation.

73. South Africa's mounting defiance of the United Nations and its disregard of international opinion and of the rules of international law is so evident in itself that it hardly requires much effort to expose the cruel and sinister character of this racist régime which oppresses millions in southern Africa.

74. This is an open defiance which is now as old as the United Nations itself. Be it the problem of *apartheid*, which

is an open denial of human rights, or the problem of South Africa, which is a deliberate rejection of international responsibility for an international territory, or again of the alliance with the rebels in Southern Rhodesia and with the Portuguese colonialists, which is an open attempt to frustrate and undermine United Nations efforts—all these problems taken separately or together constitute nothing but an open challenge to the authority of the United Nations by a régime that continues to enjoy the privileges of membership without doing even the barest minimum to fulfil the obligations incumbent upon Member States.

75. The background to this grave situation in southern Africa and the serious developments that have led to the urgent meeting of the Security Council today have been described in the eloquent statement which we have just heard from the representative of Algeria. Suffice it for me to recall and emphasize that General Assembly resolution 2145 (XXI) of 27 October 1966 terminated South Africa's Mandate over South West Africa and declared that henceforth South West Africa had come under the direct responsibility of the United Nations. This was a decision of the overwhelming majority of the membership of the United Nations which embodies the will of the international community. Yet, South Africa has not only openly defied this decision by taking certain deliberate administrative measures which are contrary both to the spirit of the previous mandate and to the principles of the United Nations Charter, but has further climaxed its defiance of the international community by staging illegal trials of South West African nationals under laws which it has no right to promulgate and which are deliberately made retroactive in order to enable the South African authorities to carry their persecution and revenge as far back in time as suits their sinister purposes.

76. The law under which these South West African nationalists have been charged, the so-called Terrorism Act,² is in itself a perverse law which runs counter to all accepted concepts and norms of law and justice. As such it is an *ex post facto* legislation which labels a certain act as criminal long after it has been performed, and which moreover did not constitute a violation of any law at the time of its performance. This law has, naturally, aroused the indignation of civilized mankind, and particularly of the legal profession the world over. Commenting on this law, *The New York Times* of 9 December 1967 said *inter alia*:

"A person arrested under that act is guilty unless he can prove his innocence 'beyond a reasonable doubt'. The penalties for conviction are the same as those for treason, including death. The range of 'terrorist' activities is so sweeping that a man can be convicted if his alleged offence is adjudged 'to embarrass the administration of the affairs of the State'."

77. This law, which is a facet of the *apartheid* régime and part and parcel of the machinery of persecution of the non-white peoples of South Africa, is so outrageous in itself that it deserves the condemnation of the international

community of nations. But when it is extended to apply to South West Africa—for which territory the United Nations has had a unique and unquestioned responsibility since the dissolution of the League of Nations, a responsibility that became immediate and direct after the termination of South Africa's mandate—the law and the trial being conducted under it become a matter of direct challenge to the United Nations and to the high principles for which it stands.

78. As has already been pointed out by the representative of Algeria, the twenty-second session of the General Assembly, by an overwhelming majority, adopted resolution 2324 (XXII) of 16 December 1967, in which it condemned 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 the rights of these South West Africans, of the international status of the Territory, and of General Assembly resolution 2145 (XXI).

79. The response of South Africa to this overwhelming expression of international will has been to advance the date of final judgement first by a number of weeks, and lately by a matter of days. This is, of course, a well known manoeuvre of those who do not have the courage and the clear conscience to face truth and justice. It is an obvious attempt to forestall United Nations action and to confound and mislead world opinion.

80. But no amount of manoeuvring can hide the shameful and cowardly act in which the South African Government is now engaged, and the eyes of the whole world are turned today to this Council in the hope and expectation that it will prevent the South African régime from getting away with this cruel and illegal act of open terrorism and naked persecution. For when everything is said and done, what is at stake in these illegal trials goes beyond the life of the South West Africans involved, important as this is in itself. What is at stake is the very authority and responsibility of the United Nations. The experience of the League of Nations shows very clearly that the authority of a world body does not necessarily disappear overnight. It withers away in a seemingly minor procession of erosions of authority which, if unarrested in time, can lead step by step downwards on the road of slow but sure disaster.

81. It is only by taking appropriate and timely action that the Security Council can hope to avert such a disaster for the United Nations, and surely no action is more urgent than that required of us today in the face of the grave challenge that the Pretoria trials present. We are duty bound to speak with one voice today in saying to South Africa that enough is enough and that the United Nations cannot tolerate its defiance any more.

82. As time is of the essence in this grave development, it is imperative that we adopt a resolution today confirming the decision taken by the General Assembly and demanding in clear and strong terms that the South African Government discontinue henceforth this illegal trial and release and repatriate the South West Africans concerned.

83. Finally, important as it is to adopt a resolution in the Council today, that resolution will obviously have little

² Act to Prohibit Terroristic Activities and to Amend the Law relating to Criminal Procedure; and to Provide for Other Incidental Matters. Act No. 83 of 1967.

effect unless we are all determined to see that it is implemented. A special responsibility falls in this regard on those Member States that maintain relations with South Africa. It is obvious that South Africa uses those relations as a convenient cover for its oppressive actions and that it feels sustained and strengthened by the enormous benefits it derives from them. On the other hand, the trade partners of South Africa, some of which are countries with great power and influence, could use that influence, if only they would, at least to temper the excesses of South Africa's all too outrageous actions. That is the least that can be expected of them as responsible Members of this Organization.

84. We therefore appeal, and appeal in particular, to the major Powers concerned, for on them, as permanent members, falls a special responsibility. We appeal to one and all to act promptly and decisively in order to prevent these illegal trials, the outcome of which, if South Africa has its way, would bring shame on the United Nations and a heavy sense of guilt on the conscience of all mankind.

85. Mr. BUFFUM (United States of America): Today, if our search of the records is correct, is indeed a historic occasion. This is so because it marks the first time in the history of this Organization that the Security Council has been seized of problems relating directly to South West Africa.

86. Fifty-three Members of our Organization have requested this meeting in the hope that the Council will add its weight to that of the General Assembly to secure the release and repatriation of thirty-five South West Africans now being tried at Pretoria under inadmissible legislation, the so-called Terrorism Act of 1967. The General Assembly, in resolution 2324 (XXII), has already overwhelmingly denounced the trial and the Act, yet the South African authorities have ignored that resolution.

87. The concern widely felt about the fate of those men is shared by my Government. We share also the sense of urgency for this meeting, particularly in view of the fact that the judgement on the individuals concerned may be handed down tomorrow. This concern is highlighted by the continuing disregard of the Government of South Africa for the rights of the inhabitants of South West Africa, the authority of the United Nations and the humanitarian concern of the people of the world for the welfare of the people of South West Africa.

88. By its resolution 2145 (XXI), which was adopted by an overwhelming majority, the General Assembly has already decided that South Africa's Mandate for South West Africa was terminated and that henceforth South West Africa came under the direct responsibility of the United Nations. The decision of this Organization was clearly based on South Africa's own actions in breach of its obligations, its disavowal of the Mandate and its disregard of the opinions of the International Court of Justice.

89. The current arrest and trial of thirty-five South West Africans under an offensive Terrorism Act which violates the most basic standards of justice to which my own people are dedicated, is particularly serious. Various representa-

tives of the United States have already spoken out in other United Nations forums against the admissibility of the Terrorism Act. In the General Assembly, on 14 December 1967, Ambassador Goldberg³ described in detail the reasons why we considered that the Act itself violates elementary standards and why its application to South West Africa is inadmissible. Today we reaffirm and reinforce those same views.

90. The United States neither condones violence nor supports anarchy. Indeed, its position on the matter before us springs from respect for the law and from its preference for a peaceful solution of the problem. Therefore, it is particularly tragic that the South African Government should pursue policies which, by closing the avenues to peaceful dissent in South West Africa, in and of themselves breed violence.

91. The prosecution and sentencing of the thirty-five South West Africans under the Terrorism Act is without justification and can only be interpreted as a repudiation of respect for the rule of law. It is the view of the United States Government that these trials should be halted and that the defendants should be freed.

92. On 14 December 1967, two days before the nearly unanimous adoption of resolution 2324 (XXII), which condemned the trial and of which we were a sponsor, Ambassador Goldberg asked why the South West Africans had been held incommunicado and why they had been tried far from their own homes. No logical response has been forthcoming from the South African Government. Despite repeated and numerous requests from various organs of the United Nations and various Member States, as well as certain private groups, to that Government to honour the international status of the Territory and to observe resolution 2145 (XXI), the South African Government has thus far ignored those appeals and continued with the trials.

93. We believe that the entire international community has a responsibility to these individuals who are now on trial. This responsibility derives from the international status of South West Africa, from the undertakings given in Chapters IX and XI of the United Nations Charter, from the general principles of international law, and from a very fundamental and basic concern for humanitarian treatment of fellow human beings. This is a responsibility that weighs very heavily on this Council at this time when the lives and freedom of these inhabitants of the international Territory of South West Africa are at stake.

94. My Government is of the opinion that the extension of the terrorism laws to South West Africa is illegal, and we are thus prepared to join with other members of the Council in expressing such a view. Indeed, we think it entirely appropriate that, in view of the urgency of the situation, the Security Council should be asked now to add its influential voice to the call for the discontinuance of this illegal trial, and to do so today. Accordingly, we welcome this move; we support the call on South Africa to release and repatriate those being tried and to cease its application of the Terrorism Act to the Territory and to its people.

³ See *Official Records of the General Assembly, Twenty-second Session, Plenary Meetings*, 1632nd meeting.

95. We believe very strongly that it is important that the action of this Council on such a basic and important issue should be taken with the same unity of purpose and intent that existed when resolution 2324 (XXII) was adopted in the General Assembly, and I can only say that it is with great gratification and appreciation that it now appears, Mr. President, that under your wise leadership this will be the case. For its part, the United States will support the draft resolution as submitted and will continue to exert every appropriate effort in seeking to secure the release of the prisoners. It is our earnest desire to see that the people of South West Africa as a whole will be able, through peaceful means, to achieve their goal, and that they will be in a position to exercise fully those basic rights to which all men are entitled.

96. Mr. IGNATIEFF (Canada): I shall accede to your request, Mr. President, addressed to members of the Council earlier, to keep our statements as short as possible. May I first, however, be permitted to congratulate your country, Sir, on its election to the Security Council, and yourself on your assumption today of the responsibilities of the Presidency of the Council at this first meeting. My delegation has already been impressed by the wise words with which you launched the Council on this year's work and the manner in which you conducted the consultations leading up to this meeting.

97. I should also like to welcome very warmly the representatives of Algeria, Hungary, Paraguay and Senegal.

98. Today we are considering a further appeal to the Government of South Africa in respect of the South West African prisoners who are on trial in Pretoria. The Canadian delegation,⁴ at the twenty-second session of the General Assembly, has already expressed its grave concern at the detention of the South West Africans, the provisions of the Terrorism Act—to which my friend and colleague the representative of Ethiopia so eloquently referred earlier—and its extension to South West Africa. Along with the overwhelming majority of the United Nations, Canada voted in favour of resolution 2324 (XXII), adopted by the General Assembly on 16 December 1967. In that resolution the General Assembly called on the Government of South Africa to discontinue the trial forthwith and to release and repatriate the prisoners. My delegation regrets very much indeed that up to this time the Government of South Africa has given no indication that it intends to heed the request contained in that General Assembly resolution. We agree, therefore, that we should now add the voice of this Council urgently, and I do hope unanimously, to the weight of opinion already expressed by the General Assembly. The United Nations, after all, was established in the hope that the decent opinion of mankind would have an influence on the actions of Governments. The attitude of the Organization towards these trials in Pretoria has been clearly expressed. It is being given further emphasis today in the meeting of the Security Council. My Government considers that South Africa, as a Member of the United Nations, has an obligation to respect the opinions of this Council and to heed the call which is being made today.

99. Mr. MISHRA (India): It is a matter of satisfaction to my delegation that it will have, during 1968, the privilege and the pleasure of working in close co-operation with the delegation of Pakistan in the Security Council. The geographic proximity of the two countries, their common ties rooted in history, civilization and culture, the close identity of views on many international issues such as the one we are discussing today, are self-evident and need no particular emphasis.

100. May I also take this opportunity of welcoming the other new members of the Security Council. The delegations of Algeria and Senegal, our fellow delegations within the Afro-Asian family, are well known for their active interest in, and constructive contribution to, all the activities of the United Nations. My delegation looks forward to working with them closely in the Security Council. We are similarly happy to extend our warm welcome to the delegations of Hungary and Paraguay, with both of whom we have worked closely in the past and with whom, we have no doubt, we shall be working together with a view to promoting our common objectives.

101. We shall be missing the benefit of the rich experience of Chief Adebo of Nigeria, who, by his wise and tactful skill in handling difficult and delicate situations, contributed greatly to the smooth functioning of the Council, particularly during his Presidency through the month of December 1967.

102. My delegation would also like to thank the delegations of Mali, Japan, Argentina and Bulgaria for their co-operation with us during the period of our common membership in the Security Council.

103. Mr. President, may I, on behalf of my delegation and on my own behalf, congratulate you on your assumption of the high office of President of the Council. During the informal consultations which have preceded this meeting, as also during the consultations relating to other issues, it was evident that in your person the Council had a very wise leader. The speed with which you concluded the informal consultations in regard to this meeting, and the very fact that we are here today instilled with a sense of urgency, testify to your ability in obtaining the maximum co-operation quickly and effectively.

104. The Security Council's meeting today has been convened at the urgent request of a great many Afro-Asian Member States of our Organization. The United Nations Council for South West Africa also has addressed a letter [*S/8353*] to you, Mr. President, which has now been included in our agenda, in which it has expressed grave concern at the situation prevailing in South West Africa and has requested the Security Council to take up the matter immediately.

105. As members will recall, the General Assembly at its twenty-first session adopted the historic resolution 2145 (XXI) by which it terminated the Mandate of South Africa over South West Africa and decided that South Africa had no further rights in the Territory and that South West Africa henceforth came under the direct responsibility of the United Nations. This decision of the General

⁴ *Ibid.*, 1624th meeting.

Assembly must be regarded as a point of departure for the United Nations on which all our actions subsequent to 27 October 1966 must be based. The Government of South Africa, instead of respecting the near unanimous decision of the United Nations, has persisted in its illegal occupation of the international Territory of South West Africa and has, in fact, taken on measures to implement the recommendations of the Odendaal Commission,⁵ that infamous Commission.

106. The delegation of India like the delegations of other members here has much to say on the question of South West Africa. Today, however, we have met to consider and act with speed in regard to a more limited but important aspect of the situation. The human rights of thirty-five South West Africans have been placed in jeopardy by the Government of South Africa. Indeed the lives of most of them depend upon the action of this Council and the compliance which it obtains from the South African Government. We are literally racing against time. The racist régime of Pretoria, as we all know, had originally fixed the date for the resumption of the illegal trial on 5 February 1968. When it became clear to the rulers of South Africa that the international community was planning to take some action, it advanced the date of the trial to 29 January. Subsequently, the date was further advanced to 26 January, that is, tomorrow. In the face of such a stubborn and arrogant defiance of world opinion by South Africa, it is the clear duty of the Security Council to take speedy and effective action so as not to let South Africa confront the United Nations with a *fait accompli*.

107. In the past several months the Terrorism Act of South Africa and the illegal arrest and trial of thirty-seven South West Africans under it have been the subject of innumerable statements by Member States as well as of consensus adopted by several organs of the United Nations. The latest resolution on this subject adopted by the General Assembly, resolution 2324 (XXII), which received the approval of 110 Members, condemned 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).

108. The action of South Africa in enacting the so-called Terrorism Act and in arresting and prosecuting people over whom it has no legal jurisdiction, has provoked, in addition to the censure of the United Nations, the moral indignation of many private humanitarian, professional and other associations the world over. Of special significance is the opinion of many eminent private legal associations. A statement issued on 13 December 1967 by more than 200 American attorneys protesting the trial concluded with these words:

"As members of the legal profession concerned by the imminent threat of death of thirty-five of our fellow men resulting from South Africa's illegal assertion of jurisdiction and its violation of the rule of law and of civilized

standards of fair procedure, we, the undersigned, protest the unlawful prosecution of South West African citizens under the Terrorism Act, and we call upon our brethren of bench and bar to join us in this protest."

109. Members must also be aware of the resolution recently adopted by the Association of the Bar of the City of New York which declared that the Terrorism Act offends civilized principles of law including due process and violates the Universal Declaration of Human Rights.

110. What was the reaction of the Government of South Africa to resolution 2324 (XXII) which embodies the genuine concern shared by all Members of the world body? On the very day that resolution was adopted, Mr. Vorster, the Prime Minister of South Africa is reported to have said that "South Africa would not allow anything or anybody to interfere with the trial".

111. Further we have learned that on 11 December another South West African was arrested in Ovamboland under the Terrorism Act. The memorandum of the United Nations Council for South West Africa throws adequate light on the attitude of the Government of South Africa. It is thus clear that the resolutions of the General Assembly and other organs of the United Nations calling on South Africa to discontinue the trial have met with a stubborn defiance.

112. It is, therefore, incumbent on the Security Council, which is the highest organ of the United Nations dealing with the problems of peace and security, to express itself firmly on this issue. In the view of my delegation the Security Council must, in unequivocal terms, call upon the Government of South Africa forthwith to discontinue the illegal trial and to release and repatriate the South West Africans concerned. My delegation is confident that the Security Council would be able to take that step without any delay since all its members, permanent as well as non-permanent, voted for resolution 2324 (XXII) which called for precisely the same action.

113. I should like to conclude my statement by saying that what we are discussing today is not solely a political question involving the lack of sovereignty or jurisdiction of South Africa over South West Africa. This aspect of the question, of course, is fundamental and most important. But the immediate issue facing us today is a humanitarian one. Thirty-five South West Africans may well lose their lives due to no other crime but their yearning to liberate their homeland, a yearning which the United Nations has long recognized as an inalienable right and has encouraged by the adoption of resolution 2145 (XXI) with the avowed aim of enabling the South West Africans to achieve their independence. The prestige and authority of the Security Council would be gravely undermined if it fails to act and act quickly.

114. Mr. BERARD (France) (*translated from French*): Let me very briefly say with what pleasure we welcome here in the Security Council the presence of countries with which we have particularly close ties, such as Algeria, Hungary, Paraguay, Senegal and, Mr. President, your own country, Pakistan.

⁵ "Commission of Enquiry into South West Africa Affairs" established in 1962 by the Government of South Africa under the chairmanship of Mr. F.H. Odendaal.

115. On 16 December 1967 the General Assembly drew the attention of the Council to its resolution 2324 (XXII), which reflected the legitimate concern of that United Nations body as to the conditions of the trial, by the South African Government on 7 August 1967, of thirty-seven South West African nationals accused of terrorism by Pretoria.

116. The proceedings, which opened on 11 September, were adjourned on 12 December, and the decision of the court, if not its sentence, was to be pronounced on 5 February. But that date was first of all advanced to 29 January and later—we are told—to 26 January. Under those circumstances, my delegation was extremely willing to agree to the urgent meeting of the Security Council requested by the African and Asian States.

117. We fully share the emotion which those facts have aroused in the United Nations and throughout the world. The charge involves nationals of a Territory for which the international community bears a special responsibility, because of the international status of South West Africa. We therefore have the right to give it the attention it merits.

118. From the information received, which has so far not been challenged, it appears that the accused were arrested in Ovamboland, that is to say, in South West Africa, for alleged crimes committed on that Territory. They were then transferred to South Africa and held incommunicado for more than a year. They have been charged with violating a law on terrorism, adopted on the very eve of their prosecution and made retroactive to 27 June 1962. They are being prosecuted under exceptional legislation which flouts our humanitarian feelings and our sense of justice. Its provisions are reprehensible attacks on solidly established legal principles.

119. The explanations offered on 11 December 1967 to the General Assembly by the South African representative⁶ have not—I must say this in all sincerity—dispelled my delegation's unfavourable opinion regarding the principles involved and the procedure followed in this case. That is why my delegation supported the draft resolution submitted to the General Assembly by seventy-four States, condemning the arrest, deportation and illegal trial of the thirty-seven South West African nationals and inviting South Africa to stop the trial immediately and to free and repatriate the accused persons.

120. Today we express the fervent hope that the South African Government will listen to the voice of reason and humanity and act in conformity with recognized rules of law and justice by respecting the international character of South West Africa. Any decision to the contrary would provoke the keenest condemnation and could only increase the hostility of the peoples of the Territory against a policy of racial discrimination, a policy which my country condemns root and branch.

121. Mr. MOROZOV (Union of Soviet Socialist Republics) (*translated from Russian*): May I first of all welcome to

this table the representatives of the States recently elected members of the Security Council: Algeria, Hungary, Pakistan, Paraguay and Senegal. I should like to express the conviction that they will make a valuable contribution to the fulfilment of the responsible task entrusted to us under the United Nations Charter—the maintenance of international peace and security.

122. Mr. President, may I congratulate you personally on occupying the Chair of this Council for this month and express the hope that under your guidance the Council will take useful steps to settle the matters it has to deal with.

123. I should like to take this opportunity to associate myself with those who have expressed their gratitude to our colleagues who left the Council this year, and note, in particular, the valuable contribution to the work of the Council made by the representative of Bulgaria, the representative of Mali and the representative of Nigeria, who served effectively as President of the Council last month. I should also like to note the contribution made by the other outgoing members of the Council.

124. The delegation of the Union of the Soviet Socialist Republics shares the deep concern and indignation aroused by the illegal acts of the racist régime in Pretoria against the people of South West Africa, as expressed in the letter from representatives of over fifty African and Asian countries dated 24 January 1968 and in the statements of the representatives of those countries at this meeting.

125. The reprisals that are being prepared in Pretoria against the leaders of the National Liberation Movement in South West Africa are, as has been rightly shown here, incompatible with the principles and aims of the United Nations and of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

126. This is further evidence of the defiant contempt shown by the South African authorities for the numerous decisions of the United Nations demanding that an end should be put to arbitrary oppression by the police and other illegal activities against the people of South West Africa, who should be granted immediate freedom and independence. It is a gross violation of the inalienable legal rights of the people of South West Africa and of the international status of that Territory.

127. Examining the dangerous situation in South West Africa, we come up repeatedly against one of the manifestations that are most abhorrent to the human conscience of the policy of perpetuating colonial and racist domination, interference and aggression practised by the forces of imperialism in various parts of the world.

128. In recent years, particularly since the Declaration on the Granting of Independence to Colonial Countries and Peoples, many peoples have freed themselves from colonial dependence and created their own national States. Far-reaching social and economic changes are taking place in the vast expanses of the African continent and a genuine national renaissance is in progress.

129. However, the policy of the colonialists and racists, supported by the international forces of imperialism and

⁶ See *Official Records of the General Assembly, Twenty-second Session, Plenary Meetings*, 1624th meeting.

reaction, and the obstinate refusal to carry out the provisions of the aforementioned Declaration in respect of a number of countries and peoples, still prevent the total liberation of mankind from the shame of colonialism.

130. The fate of the people of South West Africa, too, is most tragic. The partisans of freedom and independence have waged a constant struggle for the liberation of that people. They have more than once raised their voices in protest against the South African racists here in the United Nations. It has already been mentioned here that, at the twenty-first session of the General Assembly, it was decided by an overwhelming majority to terminate the famous League of Nations Mandate, under cover of which the South African racists had established a colonial régime in South West Africa.

131. Twice in the past year, the General Assembly, at its fifth special session and at the twenty-second regular session, confirmed its decisions with regard to South West Africa and called for the immediate implementation of that people's inalienable rights to freedom and independence.

132. The Pretoria régime, however, not only refuses to carry out the United Nations decisions to put an end to the illegal annexation, but openly challenges the authority of our Organization and world public opinion, and is taking measures applying to South West Africa the régime of repression and terror against the indigenous population which it practises in South Africa itself and which is condemned by the whole world.

133. The South West African patriots, who are continuing their heroic struggle for the liberation of their homeland, are being subjected to cruel persecution, arrest and torture.

134. In the past few months a number of United Nations bodies, including, as we said, the General Assembly, have often drawn the attention of the peoples of the world to such blatant illegalities as the arrest, deportation and trial in Pretoria of thirty-seven leaders of the South West African national liberation movement. The threat of open reprisals is hanging over these South West African patriots.

135. In its resolution 2324 (XXII) adopted on 16 December 1967, the General Assembly condemned the illegal activities of the South African régime against the South West African freedom fighters. It called for an immediate end to the odious parody of a trial and for the release and repatriation of those fighting for the freedom and independence of South West Africa. However, despite the decision of the General Assembly, despite the protests of progressive world opinion, the South African authorities intend to carry through this legal farce in Pretoria as quickly as possible. Naturally we have been and are wondering what the reasons may be for this open defiance of the United Nations by the South African racists.

136. The whole course of debate on the question of South West Africa in the United Nations at previous sessions of the General Assembly and today's debate on the question in the Security Council show very clearly that the Pretoria régime would not be able to oppose for long the categorical demands of the overwhelming majority of States Members

of the United Nations without the active support accorded to it by its allies whom it is customary to refer to as its "main trading partners". It is well known that they include first and foremost the United States of America, the United Kingdom and the Federal Republic of Germany.

137. The ruling circles of these countries continue to be guided by selfish political, economic, military and strategic interests. During a lengthy debate on the question of South West Africa at the twenty-second session of the General Assembly, the Soviet Union and many other countries were able to adduce numerous facts showing the deep-seated interrelation and community of interests between colonial imperialist western Powers and their like-minded allies in Southern Africa.

138. Therefore, we are not going to present again the numerous facts which are sufficiently well-known to Members of our Organization. We shall refrain from doing so also because the Security Council has to take an immediate decision on this item which is on its agenda today. However, we recall these facts in order to stress the key question, if we wish to obtain freedom and independence for the people of South West Africa, continues to be that of the cessation of all kinds of political, economic, financial and other support for the so-called South African Republic from its main allies, the Western Powers.

139. Resolution 2324 (XXII) on the question of South West Africa, adopted at the twenty-second session of the General Assembly, contains an appeal to all States to use their influence with the Government of South Africa in order to obtain its compliance with the General Assembly's call to put an end to repression against the inhabitants of South West Africa and to grant freedom and independence to the people of that country.

140. In connexion with the telegram of the Secretary-General of the United Nations dated 23 January 1968 concerning the resolution just mentioned, the delegation of the Soviet Union to the United Nations today communicated to the Secretary-General an answer which, for technical reasons, has not yet been mentioned among the replies of the nine States referred to in the report of the Secretary-General [S/8357] which is before the Council.

141. The reply sent by the Soviet Government states:

"The Soviet Union has consistently opposed and continues to oppose the inhuman policies of *apartheid*, terror and oppression directed against the national liberation fighters of South West Africa. The criminal policy of the racist Pretoria régime constitutes one of the most flagrant manifestations of colonialism and a violation of the principles of the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

"The peoples of the Soviet Union and public organizations in the USSR have resolutely condemned and continue to condemn the policy of arbitrary police and oppression pursued by the South African régime and the impending judicial reprisals against the leaders of the national liberation movement in South West Africa.

"For its part, the Soviet Union has taken and is continuing to take the necessary steps in the international arena to protect the inalienable right of the people of South West Africa to freedom and national independence, demanding an end to the shameful policies of colonialism and racism. Accordingly, the Soviet Union in particular supported the adoption, at the twenty-second session of the General Assembly, of General Assembly resolution 2324 (XXII), which condemns the unlawful arrest and trial of South West African patriots and includes a demand for the immediate termination of the unlawful judicial proceedings against them and the release and repatriation of all those arrested."

We repeat this demand categorically today at this meeting of the Security Council. The letter continues:

"As one of the measures for influencing the racist régime of the Republic of South Africa, the Soviet Union, as is well known, has broken off all relations with that régime, and at the present time has no diplomatic, consular or commercial relations with it."

142. The letter concludes with the statement that the Soviet Union will continue in future to support the just struggle of the people of South West Africa for its liberation from the yoke of colonialism.

143. It has been quite rightly pointed out here that the resolution of the General Assembly on South West Africa demands energetic measures by all other States Members of the United Nations, and in this connexion we must express our regret that the report of the Secretary-General, presented to the Council today notes that, with the exception of the Swedish reply, not one of the replies of the nine States which have been present so far—and I have already explained that the Soviet Union's reply, for technical reasons, is not among these—mentions any measures which are to be taken by their Governments in response to the resolution adopted by the General Assembly. We expect that, before it is too late, the steps needed to put an end to the crimes committed by the South African racists will also be taken by other States, including the main political and military allies of the South African racists, whom I mentioned previously.

144. The Soviet delegation shares the views which have been expressed in this Council by the representatives of Asian and African countries. We agree that the question raised by them is urgent and cannot be postponed. Therefore, the Soviet delegation is ready to support a decision of the Security Council which would be in keeping with the Charter and which would be aimed at putting a stop to the arbitrary activities of the racist Pretoria régime.

145. Mr. BORCH (Denmark): May I first join in the tribute paid to the outgoing members of the Security Council who, by their character and intelligence, sustained the high traditions of this body. I should also like to join in the hearty welcome to our new colleagues that was expressed to you, Mr. President, and to the representatives of Algeria, Hungary, Paraguay and Senegal, and, of course, to you as President.

146. Denmark was a co-sponsor of General Assembly resolution 2324 (XXII), which condemned the trial at

Pretoria of thirty-seven South West Africans as a flagrant violation of their rights, of the international status of the Territory and of General Assembly resolution 2145 (XXI).

147. We supported that resolution, we fully subscribed to its terms, and we firmly maintain that position today. In the plenary meeting of the General Assembly on 16 December 1967, I had occasion to say that Denmark would positively consider supporting further constructive moves with a view to assisting these unhappy men.⁷ In accordance with this policy, we consider it is only appropriate that a great number of Afro-Asian Members of the United Nations have taken the initiative to have this meeting of the Council convened today. As the Government of South Africa has not yielded to the call by the General Assembly in resolution 2324 (XXII) to discontinue the illegal trial and to release and repatriate the South West Africans concerned, the Security Council should now let its voice be heard in the exercise of the responsibility of the United Nations for South West Africa.

148. It has been pointed out repeatedly in this Council and in the General Assembly that the trial of the South West Africans is a mockery of justice. The principle of retroactivity, the unjust rules or the burden of proof, the vagueness of the definitions of the delicts, all these make the so-called Terrorism Act under which the South West Africans stand accused a highly objectionable piece of legislation, to say the least.

149. Our concern today must be to make a determined and concerted effort in this Council to help these South West Africans standing trial in Pretoria. In the opinion of my delegation, it is incumbent upon the Council to call upon the Government of South Africa to comply immediately with General Assembly resolution 2324 (XXII), to release the South West Africans concerned, and to discontinue the trials against them. My delegation is prepared to support such a move, by which this Council would also reaffirm that the trial and the arrest and deportation of the South West Africans is a violation of the international status of South West Africa which was accepted by the entire international community in General Assembly resolution 2145 (XXI).

150. Mr. CSATORDAY (Hungary): Mr. President, in expressing my thanks to you and to all the members of the Council who so kindly addressed personal greetings to the new members of the Council, including myself, allow me to commence my intervention with a word of congratulation to you upon your election to the Presidency of the Security Council. Your country, Pakistan, which has been maintaining friendly relations with mine, was simultaneously elected to membership of the Council with my country. From your very first day in the Council, Mr. President, you have been called upon to assume the high office of the Presidency. It is with real pleasure that I wish to express the deep appreciation of my delegation for the experience, tact and expertise that have characterized your activities during this month.

151. I cannot fail to thank the outgoing members of the Council for their work, and in this connexion I may be

⁷ *Ibid.*, 1635th meeting.

permitted to express a special word of appreciation to the representative of the Bulgarian People's Republic, Ambassador Milko Tarabanov, for the selfless and devoted pursuit of the cause of peace and security that he demonstrated in this Council during his tenure of office.

152. It is a great honour for the Hungarian People's Republic to serve for the first time on this Council, which is one of the principal organs of the United Nations. We consider our election to this important post as an expression of the recognition of the peaceful nature of the foreign policy of my country. It is in this spirit that I express my sincere thanks to all those who were so kind as to congratulate us on the occasion of our election to the Council.

153. To be a member of this Council is not only a matter of great distinction and honour, but one of serious responsibility as well. Guided by this recognition, my delegation will do everything in its power so that its activities in the Council will reflect the basic principles of my country's foreign policy, the strengthening of peace and security, the promotion of peaceful co-operation of countries with different social and economic systems, the lessening of international tension, the fight against aggressive tendencies in international life and the complete elimination of the remnants of the colonial system which constitute so grave a threat to world peace.

154. The Hungarian delegation has received with deep anxiety and indignation the recent information on the decision of the Government of South Africa to resume the illegal trial at Pretoria of thirty-five South West African patriots. It fully shares the opinion of fifty-three Member States that the illegal trial at Pretoria and the persistent defiance of General Assembly resolutions 2145 (XXI), 2324 (XXII) and 2325 (XXII) by the Government of South Africa call for an urgent consideration of the problem by the Security Council.

155. The examination of the problem before us should be based on the fact that the General Assembly, in its resolution 2145 (XXI), terminated the Mandate of South Africa over South West Africa and placed that Territory under the direct responsibility of the United Nations. Consequently, any step or measure by the South African authorities in South West Africa can only be considered as an act of aggression.

156. The situation has become more serious by the arbitrary mass arrest of South West African patriots. The minority white settlers régime has no right whatsoever in South West Africa. It has flagrantly violated the international status of the Territory and directly challenged the authority of the United Nations. This act of the minority régime in South Africa was aggravated by the illegal trial of thirty-five South West African patriots.

157. The apparent reason behind this tyrannical behaviour is the fear of the struggle to regain the inalienable rights of the people of South West Africa to freedom and independence, which has been continuing for more than two decades in the United Nations, and even longer outside it. During this period the United Nations has endeavoured

repeatedly to rescue a people that has suffered so much from the yoke of the white settlers régime. There have been numerous attempts to draw the attention of the minority régime of South Africa to the possible consequences of its senseless colonial policy to the indigenous population, and even to international peace and security.

158. It seems that, in the defiance of its international obligation under the Charter of the United Nations, and in total disregard of world public opinion, a Member State—namely, the Republic of South Africa—has continued and even expanded the application of its generally condemned policy of *apartheid* in the Territory of South West Africa.

159. One may raise the question: what are the motives behind this arrogant policy of the South African Government? For this question there can be only one explanation: South African white imperialism, in close co-operation with the Smith régime and Portugal, is trying to expand, to get hold of South West Africa and other territories in order to impose upon them its policy of domination, to use them for profitable capital investment, and to exploit their natural resources and cheap labour.

160. In these endeavours South Africa could not, however, carry on alone; it receives active support from other Powers which are also interested in maintaining the present status of the Territory and of the neighbouring colonies. The major trading partners of South Africa work hand in hand with the champions of *apartheid* for the purpose of prolonging their economic and military domination and police oppression in South West Africa.

161. The Hungarian People's Republic, as a member of the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa, has always called for the most concrete and speedy action to eliminate the crimes arising from the policies and practices of *apartheid*.

162. At its last regular session the General Assembly adopted resolution 2324 (XXII), in which the world Organization condemned the illegal arrest, deportation and trial at Pretoria of thirty-seven South West Africans. This resolution also called upon the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the people concerned. Unfortunately, a deaf ear was turned by the white settlers régime in South Africa to this and former appeals of the General Assembly.

163. The illegal trial at Pretoria is only part of a complex problem which was created by the establishment of an *apartheid* régime in the southern part of Africa.

164. My delegation strongly supports the draft resolution which will be a proper answer to the challenge by the minority settlers régime in South Africa, and we hope that it will result in stopping the illegal trial and in the release of the South West African patriots. However, the Security Council can be satisfied with its own achievements only after the total removal of the illegal presence of South Africa from South West Africa and the attainment of the complete independence of that Territory.

165. The Hungarian delegation joins the world community in condemning the South African minority régime for its

refusal to comply with the relevant General Assembly resolutions. At the same time it wishes to express its admiration to the South West African patriots who, under the terrorism of the white settlers régime, dare to fight not only for the liberty and freedom of their country, but also for the dearest cause of all humanity.

166. Mr. President, with your kind permission, I should like to read out a text which I have just received from Budapest and which is a cablegram of protest sent by the Hungarian Solidarity Committee—comprising representatives of all mass organizations of my country, thus reflecting the opinion of the whole Hungarian people—to Mr. Balthazar Vorster, Prime Minister of the Republic of South Africa in Pretoria:

“Hungarian public opinion has been shocked to hear about the illegal arrest, deportation and trial in Pretoria of thirty-seven South West Africans.

“This is clear-cut and flagrant violation of basic human rights and of the elementary rules of international law.

“The Hungarian Solidarity Committee, fully aware of Hungarian public opinion, most categorically condemns the illegal actions taken against the South West African patriots, all the more so because the Republic of South Africa has no legal grounds whatsoever for trying South West Africans.

“On the ground of fundamental human rights and of legality, the Hungarian Solidarity Committee resolutely demands the immediate release of the thirty-seven South West Africans, the cessation of all legal proceedings against them as provided for in General Assembly resolution 2324 (XXII) of 16 December 1967, which called upon the Government of South Africa to implement it.”

167. The Hungarian delegation, as a newcomer to this highly respected organ of the United Nations, will do its best to contribute in accordance with its modest ability to the earliest realization of this obligation and to the settling of this problem and the many other outstanding issues of peace and security in the world.

168. Mr. Ousmane Socé DIOP (Senegal) (*translated from French*): I should like first, Mr. President, to congratulate you on the way in which you have directed the work of the Security Council to everyone's satisfaction throughout the month of January. With your wisdom and tact, you have been able to achieve the consensus without which the Security Council cannot accomplish any effective work.

169. Next I should like to thank our colleagues who are leaving us and who have also given constructive assistance to the Security Council. I refer in particular to the representatives of Mali and Nigeria who, throughout the two years in which they participated in the work of the Council, gave outstanding service to the countries under colonial domination, especially with regard to problems of decolonization and violations of human rights similar to that which we are discussing today.

170. Senegal would like to thank you, Mr. President, for the congratulations you addressed to us a little while ago on

our election to the Security Council. Senegal is fully aware of the great international distinction which the United Nations has conferred upon it by electing it a member of the Security Council. This honour obliges us to make our chief objective the exercise of every effort to make a constructive contribution to the settlement of any dispute brought before the Council.

171. As you all know, Senegal is a country which has always advocated discussion and which is firmly convinced of the usefulness of the United Nations and of the need to strengthen the Organization and ensure its survival. There have been, there still are and there always will be international disputes; antagonisms and differences are a law of life. They cannot be prevented or suppressed. But the problem is not to suppress them; the problem is to act so that these disputes may be settled through discussion and peaceful compromise, not by violence. In every conflict, we must replace the sound of gunfire by the voice of discussion and peaceful compromise.

172. This, indeed, is the very purpose of the United Nations, which is endeavouring to set up an international society wherein all problems will be settled peacefully in accordance with international law. We are fully aware of the preponderant role which the Security Council must play in such a system, since this organ is the nerve centre for all our organization's decisions.

173. I can assure you, Mr. President, that Senegal will not cease to co-operate constructively in this task. We shall always do everything in our power to bring together the most diverse points of view and to achieve settlement through peaceful compromise; for, if we fail in that, what will our situation very soon be? We shall come to the edge of the abyss, we shall face the primeval and brutal law of the strongest, a law all the more dangerous in our epoch, when the nations, as a result of incredible technical advances, have at their disposal methods, such as thermo-nuclear bombs, of bringing about apocalyptic destruction.

174. Therefore, during the two years in which Senegal will participate in the work of the Security Council, our role will be essentially that of exerting every effort to establish a world order which will settle the inevitable conflicts between nations by discussion and peaceful compromise.

175. With the adoption of resolution 2145 (XXI) on 27 October 1966, the General Assembly came to the historic decision ending the Mandate of the Republic of South Africa for the administration of South West Africa. From that time on, responsibility for the administration of South West Africa and international sovereignty over South West Africa has fallen solely to the United Nations.

176. It was only logical to believe that the Republic of South Africa, a Member of the United Nations, would bow to the unanimous wishes of our Organization. The Senegal delegation thought so, at any rate, because we have a special responsibility in the settlement of the South West African problem, Senegal having been appointed by the General Assembly as a member of the *Ad Hoc* Committee for South West Africa set up to report to the General Assembly and recommend practical means by which the

Assembly would guide the people of South West Africa towards self-determination and national independence.

177. But in truth, the Senegal delegation had little faith in South Africa's sincerity, nor did we believe that South Africa would take any measure to implement resolution 2145 (XXI), in view of its constant defiance of United Nations resolutions. South Africa has trampled underfoot and poured scorn upon seventy-six United Nations resolutions. This is why we were not surprised when, in spite of resolution 2145 (XXI), South Africa continued to administer South West Africa in defiance of the will of the General Assembly. That is why, in its subsequent resolution 2248 (S-V), the General Assembly requested the United Nations Council for South West Africa to enter immediately into contact with the South African authorities in order to lay down procedures in accordance with General Assembly resolution 2145 (XXI), for the transfer of the administration of the Territory to the United Nations.

178. On 28 August 1967, the United Nations Council for South West Africa addressed a letter⁸ to the Minister for Foreign Affairs of South Africa, inviting him to indicate what measures his Government would take to facilitate the transfer of the administration of South West Africa to the United Nations. The dialogue was cut short, for South Africa, still contemptuous of the United Nations, replied in no uncertain terms that it would not only refuse to carry out the terms of resolution 2145 (XXI), but that it would also continue to administer the Territory of South West Africa.

179. It is plain that South Africa does not heed and does not wish to heed the voice of reason. Resolution 2145 (XXI) is thus in danger of remaining indefinitely a dead letter, unless the United Nations adopts coercive measures forcing South Africa to respect its decisions. To this end, the Security Council must take effective steps to divest South Africa, once and for all, of its sovereignty over the Territory of South West Africa. This will enable the United Nations to assume its responsibility for that Territory. In the first place, any other course of action would have the effect of prolonging the suffering of the South West African peoples, subjected, as they are, to increasingly brutal oppression, of which the trial we are discussing today is irrefutable proof; and secondly, the question involves the prestige of the United Nations and the trust which the small countries and peoples still under colonial domination have placed in this Organization's genuine desire to put into practice the lofty principles upon which its Charter is based.

180. Under the terms of the Charter, the Great Powers have a special responsibility with regard to this problem. They are in duty bound to do all in their power to force South Africa to respect those United Nations decisions which it continues to trample underfoot and to ridicule with impunity.

181. Is it not brazen audacity for South Africa, despite resolution 2145 (XXI), to have dared arrest thirty-five

South West African nationals within their own territory, deport them to Pretoria and place them on trial before its own court, and this in application of its Terrorism Act, a law which defies the conscience of the world and violates the terms of the solemn Universal Declaration of Human Rights as proclaimed by the United Nations?

182. The General Assembly when it dealt with this illegal trial, adopted by 110 votes resolution 2324 (XXII) submitted by seventy-four Asian, African, American and European States. Only two votes were cast against it, those of Portugal and South Africa, and there was one abstention.

183. Resolution 2324 (XXII) condemned the illegal arrest, deportation and trial at Pretoria of the thirty-seven South West Africans. It called upon the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the South West Africans concerned. Yet the South African Government has continued to ignore the wishes of the United Nations and this injunction of the General Assembly. It has even turned a deaf ear to the appeals of the United Nations Commission on Human Rights, which spoke out against the illegal trial.

184. So South Africa decided to resume the trial on 26 January, thereby continuing, as I have already said, to flout and act in contempt of the wishes of the United Nations.

185. The sentence which will be pronounced in application of the Terrorism Act can be predicted; it will be handed down by the South African Government, and it will create a dangerous situation in southern Africa, south of the Zambezi River, where a multinational white minority—Portuguese, South African and Southern Rhodesian—wishes to maintain its colonial domination over millions and millions of Africans. But these rearguard actions on the part of the last slave traders of the black continent are already doomed to defeat. They cannot stop the march of history. Such rearguard actions will be swept away like wisps of straw by the political winds of the future and by the African national liberation movement, which is irreversible.

186. Moreover, this illegal trial will cause the nations and countries under colonial domination to doubt the genuine desire of the United Nations to shoulder its responsibilities in South Africa.

187. Senegal is convinced that the unanimity we have already seen in the General Assembly when it dealt with this problem will be displayed here again, and that the Security Council will unanimously adopt the draft resolution.

188. Sir Leslie GLASS (United Kingdom): Mr. President, I will heed your appeal to be brief, but I would not wish to lose this chance of associating my delegation with the tributes paid to our outgoing President, Chief Adebo, and with the welcome which we give you, in whom we have the greatest confidence.

189. I should also wish to join in paying tribute to the outgoing members and to join in the welcome to our new colleagues.

190. On 16 December last year the United Kingdom delegation, in common with almost the entire membership

⁸ *Ibid.*, Twenty-second Session, Annexes, document A/6897, annex I.

of the United Nations, voted in favour of General Assembly resolution 2324 (XXII) which sought the discontinuance of the trial at Pretoria of thirty-seven South West Africans under the Terrorism Act of 1967. That Act was adopted by the Parliament of the Republic of South Africa on 12 June 1967. Its provisions are, in various respects, abhorrent to my Government.

191. In speaking about that resolution in the General Assembly I said that the reservations of my Government in respect of resolution 2145 (XXI) remained unchanged.⁹ But the United Kingdom delegation wished, by its vote, to associate itself with the international concern provoked by the trial and with the plea made to the South African authorities.

192. That remains the position of my delegation today. We have listened to the statements which have been made in this Council this afternoon. We do not necessarily agree with everything that has been said. But to my delegation, as to every member of this Council, it must be a matter for very grave concern that the Government of South Africa has not modified its course of action in response to the pleas from the international community.

193. The provisions of the objectionable Terrorism Act are unusually broad and sweeping. It operates retroactively and purports to make a criminal offence conduct which may not have been unlawful at the time of its commission. The Act transfers, in a very wide range of circumstances, the burden of proof from the prosecution to the defence, in such a way as to undermine the basic principle that it is for the prosecution to establish the guilt of the accused. The Act stigmatises, as an offence punishable by the same penalties as are provided for the offence of treason, virtually any conduct of which the South African administration disapproves. In all these respects the Terrorism Act is, in the view of my Government, offensive to the principles which it is generally accepted should underlie the framing of criminal legislation. It is at variance even with the standards which the South African Government itself professes to support.

194. What my Government particularly abhors and condemns is that this retrospective criminal legislation carries the supreme penalty of death.

195. Mr. President, my delegation will support the draft resolution which we understand you, after successful consultations all around, will shortly present. I shall, however, need to make a brief statement later in explanation of vote.

196. Mr. SOLANO LOPEZ (Paraguay) (*translated from Spanish*): Mr. President, as my country and my delegation begin to participate in the work of the Security Council, I should like my first words to be words of congratulation to you and your country. To you because of the high honour that has fallen to you of presiding over the Security Council, and to your country on its election to a non-permanent seat on the Council by a unanimous vote

rare in the annals of the United Nations. I also salute the other States elected to serve in 1968 and 1969 as a result of the elections held in November 1967, namely Algeria, Hungary and Senegal, as well as all the members of the Council. On behalf of my country, I wish to reiterate to one and all what I have said in the past, namely that I pledge the sincere and true co-operation of my delegation in the fulfilment of the common task we have to carry out here in the Security Council.

197. I cannot let this opportunity pass without expressing our great appreciation to the States that served on the Council in 1967 and concluded their term of office last December. The problems dealt with in the Council in that year were undoubtedly extremely complex and difficult, and I need hardly add that the value of their contribution has been of the utmost importance. In citing those members: Bulgaria, Japan, Mali and Nigeria, allow me to make special mention of the Argentine Republic, which my country is replacing, and of its outstanding representative, Mr. José María Ruda.

198. Mr. President, you have appealed to speakers to be brief, and I shall comply with your appeal.

199. This first meeting in 1968 is being held to consider a case which profoundly affects not only the members of the Council but also the United Nations as a whole. I do not intend to speak at undue length in the debate; what there is to be said has already been said and said again, both in the General Assembly and in the Security Council. However, I must say one thing: that neither legal, moral nor any other reasons justify the Government of South Africa in continuing the trial we are here to discuss.

200. On 27 October 1966, by an overwhelming majority of votes, including that of my delegation, the General Assembly adopted resolution 2145 (XXI) in which it declared:

“... that the Mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa is therefore terminated, that South Africa has no other right to administer the Territory and that henceforth South West Africa comes under the direct responsibility of the United Nations”.

201. It is primarily in the light of the provisions of that resolution that we must consider the question before us, and it is in consequence of those provisions that the United Nations in general, and the Security Council in particular, must adopt the necessary decisions in order to honour its “direct responsibility” as set forth in that resolution.

202. A large number of persons living and resident in the international Territory of South West Africa have been illegally detained, deported, and are being tried, by an authority—that of the Government of South Africa—which in the solemnly expressed opinion of the United Nations possesses no right whatsoever to carry out any of those acts. The lives of those thirty-five persons are in imminent danger. The General Assembly already declared its position when on 16 December 1967 it adopted resolution 2324 (XXII); my delegation voted in favour. The passage of

⁹ *Ibid.*, Twenty-second Session, Plenary Meetings, 1635th meeting.

time has meanwhile increased the danger which threatens these persons, but perhaps it is not too late for a new and urgent appeal, reiterating and reinforcing those already made by the General Assembly.

203. Be that as it may, here and now the Security Council has but one course open to it—to add the weight of its voice and its influence to the decisions taken in the General Assembly. My delegation will have no hesitation in voting for such a move.

204. In concluding, allow me to express my very sincere thanks to all those who have so cordially welcomed my country as a partner in the deliberations of the Security Council.

205. Mr. DESETA (Brazil): Allow me first to extend to you, Mr. President, our sincere congratulations on your assumption of the Presidency of this Council. All of us in this chamber and in the United Nations already admire you: diplomatic tact, competence and restraint, outstanding qualities that will no doubt be of great assistance to the Council in the days ahead.

206. Permit me also to welcome on behalf of the Brazilian delegation the new members of this Council, among which your own country is included. We all look with hope and satisfaction to the invaluable contributions that Algeria, Hungary, Senegal, Pakistan and Paraguay will certainly make to our deliberations.

207. I should also like to say to the departing members, Argentina, Japan, Nigeria, Mali and Bulgaria, how much our delegation enjoyed and learned from working with them and sharing with them the burden and responsibilities of the many decisions which their wisdom and dedication to the cause of peace assisted in shaping.

208. The Security Council has before it today a request by fifty-three countries for an urgent meeting of this organ to examine the question of the illegal trial at Pretoria of thirty-five South West Africans. The Brazilian Government's position on the problem of South West Africa in general and on the question of the thirty-five prisoners in particular has already been made clear on past occasions. It must be understood not only in the light of the decisions taken by the General Assembly, but also in the light of the Brazilian tradition of anti-colonialism.

209. Brazil and the Latin American countries have played a significant role in the adoption of General Assembly resolutions 2145 (XXI) and 2248 (S-5) respectively, which terminated South Africa's Mandate over South West Africa and established the United Nations Council for South West Africa.

210. In conformity with those resolutions Brazil voted in favour of General Assembly resolution 2325 (XXII) and co-sponsored General Assembly resolution 2324 (XXII). This last resolution established quite clearly that the illegal arrest, deportation and the trial of thirty-seven South West Africans were decided in disregard of resolutions 2145 (XXI) and 2248 (S-5).

211. Today this Council is confronted by the fact that the Government of South Africa has ignored the decisions of

the General Assembly, has refused to release and repatriate the South West Africans and has decided to go ahead with the illegal trial of those men. However, that trial should also be considered in the light of those human rights which have been enshrined in the United Nations Charter, and to which all Member States of this Organization are firmly committed.

212. My delegation is ready to support an appropriate decision of this Council on this matter.

213. The PRESIDENT: The next name on my list is that of China. In my capacity as President of the Security Council, and without prejudice to the position of my Government on the question of the representation of China in the United Nations, in all its organs and in other international organizations, I now give the floor to Ambassador Liu.

214. Mr. LIU (China): Mr. President, in reference to your wishes to accelerate the proceedings, I shall refrain from the usual formalities. I shall also refrain from going into the many aspects of the case, important as they are. The status of South West Africa and the arrest and trial of South West Africans have been extensively discussed in the General Assembly, which adopted resolution 2324 (XXII) only a month ago. My delegation voted for that resolution in the Assembly and is now prepared to support a similar measure to reinforce the action of the General Assembly.

215. The PRESIDENT: The next speaker on my list is the representative of Nigeria.

216. Mr. CLARK (Nigeria): May I, with your permission, Mr. President, thank you and your other colleagues for the very kind and generous sentiments which you expressed for my country's services to the Security Council, and particularly for Mr. Adebo's contribution to the work of the Security Council during our tenure of office in the past two years.

217. I am sure that I am speaking for Mr. Adebo when I say that Nigeria's role in the Security Council would have been of no avail if we had not had the support of the Afro-Asian colleagues of the Council and those of the General Assembly as a whole.

218. I wish, on behalf of my Government and the United Nations Council on South West Africa, to thank you, Mr. President, for the honour of allowing me to address the Security Council on this important question of South West Africa. For the last two years, I had the privilege of representing my country, Nigeria, on the Security Council as an alternate representative. For the two years, I had the rare honour of attending all the meetings of the Security Council in awe of its high authority and its weighty responsibilities. And for two years I never uttered a word. If on this occasion I should appear before the Council to break my silence, it is for three reasons.

219. First, my country has an abiding faith in the United Nations and in the competence of the Security Council to exercise its authority and power in furtherance of the principles and purposes of our Charter. My country feels

that, as the last court of appeal for those who seek redress of their grievances within the possibilities of our Charter, the Security Council must not appear to them to be an agent of disillusionment. It must not be indifferent to the suffering of the oppressed. And, above all, to quote a great Englishman, it must be the perpetual residence of inviolable justice. The question of South West Africa, which is before the Council, has a deep and profound meaning and significance for all who believe in justice, liberty and human decency. It is coming to you for the first time, Mr. President, even though you are not a stranger to it.

220. Secondly, the United Nations Council for South West Africa, over which we have the honour of presiding this month, is a legitimate organ of the United Nations. It was established in a rare gesture of solidarity with the cause of the people of South West Africa and in a timely manifestation of the mood of the world community. It could not have come into being otherwise. Outraged by the prospect of South Africa intensifying further its *apartheid* policies and practices, which it has illegally exported into the Territory, and in gross violation of its original and only Mandate to treat it as a sacred trust of civilization, the United Nations no longer regarded South Africa as an acceptable administrator of South West Africa. Consequently and quite rightly, the United Nations decided to take over the responsibility for the Territory of South West Africa from South Africa.

221. The purpose and significance of General Assembly resolution 2145 (XXI) have been acclaimed throughout the world. By this resolution the General Assembly terminated, once and for all, South Africa's Mandate over the Territory of South West Africa. By this resolution the General Assembly decided that thenceforth South Africa would have no other right whatsoever to administer the Territory. Having thereby assumed direct responsibility for the administration of the Territory, the General Assembly had no other alternative but to decide how best to fulfil its responsibility. Resolution 2248 (S-V) came therefore not as a surprise. It was clearly a logical follow-up of the original decision to terminate the Mandate of South Africa over the Territory.

222. Established for the specific and sole purpose of administering South West Africa until independence, with the maximum participation of the people of the Territory, the United Nations Council for South West Africa, in furtherance of its prescriptive mandate and rights, addressed a letter, dated 28 August 1967, to the Minister for Foreign Affairs of the Republic of South Africa with a view to laying down procedures for the peaceful transfer of power and administration.¹⁰ Misjudging again the mood of the world, the South African authorities arrogantly ignored the communication of the United Nations Council for South West Africa. Unable thereby to gain access to the Territory over which the United Nations had asked it to exercise authority, the United Nations Council for South West Africa submitted a report to the twenty-second session of the General Assembly pointing out:

"...that the refusal of the Government of South Africa to co-operate in the implementation of General

Assembly resolutions 2145 (XXI) and 2248 (S-V) makes it impossible for the Council to discharge effectively all of the functions and responsibilities entrusted to it by the Assembly."¹¹

Whereupon it recommended to the General Assembly to take necessary measures, including a request for appropriate action on the part of the Security Council, in accordance with section IV of resolution 2248 (S-V), to enable it to perform its functions and responsibilities effectively.

223. In the meantime, what have the South African authorities been doing to the Territory which the United Nations has taken over? The United Nations as a whole must accept full responsibility for the current sad state of affairs. If we had stood firm by our pledge to the people of South West Africa; if we had convinced ourselves of the righteousness and necessity of resolution 2145 (XXI); if we all, in particular the major trading partners of South Africa and its traditional friends, had agreed to translate their votes for resolution 2145 (XXI) into policy and effect; if we had agreed to match our words with practical action South Africa would not be challenging and affronting the United Nations today; South Africa would not be carving up a common fatherland which we have taken into trust into so-called tribal and unstable "homelands".

224. At a time when the whole of Africa is moving towards viable unity and recovering its lost dignity, at a time when even Europe is shedding its traditional rivalries and boundaries to forge a continental entity, South Africa turns its back on the tide of history.

225. Through its fascist and racist laws and doctrine, South Africa is ramming the recommendations of the Odendaal Commission down the throat of the Africans, nay of the United Nations. Mr. Vorster, the Prime Minister of South Africa, has stated officially that major constitutional changes affecting the status of South West Africa would soon be introduced in the South African Parliament, thereby making it an integral part of unhappy South Africa. The statement of the South African Minister of Bantu Administration at Oshakati on 21 March 1967 was not an idle threat. The reckless partition of South West Africa into so-called "homelands" is now in full swing. First the Ovambo people and then the brave Herero people. Wards of the United Nations are being herded, like cattle, into enclaves of humiliation and degradation, dispossessed of their country and robbed of their sovereign and human rights.

226. Consistent with our mandate, the United Nations Council for South West Africa has rejected and will continue to reject, because it considers them absolutely invalid and void, any and all laws and legislation enacted by South Africa which have the effect of partitioning the Territory of South West Africa or of annexing it to South Africa. We shall consider ways and means of abrogating all and any laws or legislation enacted by South Africa after the adoption of resolution 2145 (XXI) as illegal and of no consequence. Whatever authority South Africa continues to exercise in the Territory must be regarded as a usurpation

¹⁰ Ibid., Twenty-second Session, Annexes, agenda item 64, document A/6897, annex I.

¹¹ Ibid., document A/6897, para. 18.

of power, piratical and illegal. Its continued presence in the Territory must be regarded as an act of open aggression against the people of South West Africa and a flagrant defiance of the authority and resolutions of the United Nations. Only the United Nations, acting through its Council for South West Africa, has the legitimate right to assist the people of the Territory at this moment in their declared quest for self-determination and independence.

227. As anticipated in resolution 2248 (S-V), the United Nations Council for South West Africa cannot discharge its functions and responsibilities effectively until and after the South African authorities have withdrawn from the Territory. This expectation unhappily so far has not been attained. In the meantime South Africa answers our call for withdrawal with tendentiously prepared surveys and studies. If anything, its publication *South West Africa Survey, 1967* justifies adequately the necessity of terminating South Africa's sadistic Mandate over the Territory. More interested in tourist attractions and sociological aberrations, its achievements in the economic, social and political fields have been stated to appeal to quaint foreigners. There are, however, enough facts in the Survey to justify part III of resolution 2248 (S-V) that "the administration of South West Africa under the United Nations shall be financed from the revenues collected in the Territory". A country so richly endowed with much land, human and material resources as South West Africa is not a mini-State. Development of its agriculture, fishing industry, minerals and mining provides a prospect of stability and self-sufficiency. Its resources that now flow to enrich South African and other foreign coffers will be garnered for the benefit of the African population who own the country. This is the task the United Nations Council for South West Africa has set before itself in the coming months. The people of South West Africa need education, they need health, they need freedom and justice, they need the protection and membership of the United Nations, they need life itself. We have been encouraged and strengthened by General Assembly resolution 2325 (XXII) to use every available means to honour the United Nations pledge to the people of South West Africa.

228. The third reason for my being here is to protest with all the emphasis at the disposal of United Nations Council for South West Africa against the current illegal trials of thirty-five South West Africans, the wards of the United Nations, at Pretoria. Torn from their homes and families and impudently snatched from their country, they are being held, tortured and tried in a foreign land, known all over the world for its man's inhumanity to man. They are being tried at Pretoria where colour and not character determines the role a man should play in his own country.

229. In a remarkable editorial on 23 January 1968 *The New York Times* said as follows:

"In terms almost as strong as those we have already used in these columns, the Association of the Bar of the City of New York has now voiced its protest against the infamous trials of thirty-five South West Africans under South Africa's Terrorism Act.

"The resolution, virtually unprecedented in its nature, declares that this act offends civilized principles of law,

including due process, and violates the Universal Declaration of Human Rights on three counts: it was made retroactive for five years; defendants are guilty unless they can prove innocence 'beyond a reasonable doubt', and the crime of terrorism is defined so broadly that someone could be hanged for an act adjudged to embarrass 'the administration of the affairs of the State'.

"The Association correctly points out that the defendants were imprisoned, held incommunicado, 'stripped of rights essential for proper defence', and are being tried in South Africa, more than 1,000 miles away from their homes in Ovamboland. Furthermore, South Africa is applying this act to territory it does not own, the international status of which has been confirmed by the World Court and actions of the United Nations General Assembly.

"It is very rare that the New York Bar comments on the administration of justice in foreign countries, but its appeal for support in this protest merits wide response and will surely get one, perhaps even from lawyers in South Africa."

230. The aforementioned editorial is typical of the feelings of indignation and outrage that civilized men all over the world have for the trials and the so-called Terrorism Act. Numerous letters from learned societies, organizations and individuals from all walks of life have been received by the Council decrying and condemning the trials as a travesty of law and human dignity. With regard to the *ex post facto* laws and the instruments of terror, it is significant that in his reply to the Executive Committee of the New York Bar Association, the Ambassador of South Africa shamelessly stated that his country did not believe in the Universal Declaration of Human Rights.

231. I will read this section of his reply:

"You will have noted that in the above analysis I have refrained from referring to the Universal Declaration of Human Rights. The reason for this omission is that the Declaration is not a treaty or some kind of legal instrument which imposes binding obligations on States. It is a resolution of the General Assembly and should be seen more in the light of a general statement of principles than anything else. My Government, consequently, does not recognize that its legislation can legitimately be tested against the articles of the Universal Declaration with a view to determining the validity of such legislation as part of generally accepted principles of law."

232. This is the type of people with whom we are dealing today. The changing of the date of reconvening the Court, purportedly to beat the vigilance of the Security Council, is tragically typical of South Africa's total refusal to take advantage of the winds of change now blowing across Africa and the world.

233. The United Nations Council for South West Africa has prepared a short memorandum on the trials, and I have the honour to present it formally to you. Sir, I have referred to it in my letter of 23 January 1968 [S/8353].

The memorandum is contained in document S/8353/Add.1 of 25 January 1968 and speaks for itself. It recounts the various efforts of the world community in general and of the United Nations in particular to ask the South African authorities to terminate the shamefully illegal trials. It recalls the consensus of 27 November 1967 in which the Council drew attention to the fact that the actions of the South African authorities were a blatant violation of the international status of the Territory of South West Africa, a Territory under the direct responsibility and care of the United Nations, as well as of the detainees' fundamental human rights. It goes on further to advise that when the Council for South West Africa met on 23 January 1968 it was anxious that the thirty-five South West Africans should not be sacrificed on the altar of bigotry and racist intolerance and, therefore, again made an urgent appeal to the South African authorities in this regard. It also appealed to those with influence with them, either bilaterally or through the United Nations, particularly through you, Sir, in the Security Council, to take quick and effective measures to ensure that the South African authorities discontinued this farce and the mockery of time-honoured judicial process.

234. In this connexion we should draw attention to resolution 2324 (XXII) which the General Assembly adopted by an overwhelming majority at the last session. By this resolution the General Assembly energetically condemned the illegal arrest, deportation and trial as a flagrant violation of the rights of the people concerned, of the international status of the Territory, and of General Assembly resolution 2145 (XXI). The General Assembly likewise called upon the Government of South Africa to discontinue forthwith the illegal trial and to release and repatriate the South West Africans concerned.

235. It is a crying shame to note from the Secretary-General's report of today [S/8357] that South Africa has again ignored resolution 2324 (XXII).

236. At this stage the minimum that we can ask of you, Sir, is to uphold the wisdom and the good sense of resolution 2324 (XXII). The peculiar and perverse pattern of justice in South Africa must not go unchallenged, at least not in this august body. The fight for independence and dignity in South West Africa will continue. The thirty-five men on trial will join the hall of fame in the hearts of all civilized men, with other African heroes, including the late Albert Luthuli and Nelson Mandela. The United Nations Council for South West Africa will continue to stand by these men and will assist them to put an end to their servitude. We hope that the Security Council itself will not fail them.

237. The PRESIDENT: Since the list of speakers has been exhausted, I am taking this occasion to make a statement in my capacity as representative of PAKISTAN.

238. First of all, I should like, on behalf of my delegation and myself, to thank all the representatives here who have made friendly references to my country and have spoken in generous terms about myself. I deeply appreciate the confidence that they have reposed in me. I assure them that my country reciprocates the friendship of their peoples and values highly the personal contributions which they, as

representatives, have made to peace and the promotion of friendly relations among nations.

239. This debate has revealed that the Security Council is deeply concerned over the trial of thirty-five South West Africans. There is complete unanimity among the members of this Council that the Government of South Africa should discontinue this illegal trial forthwith and release and repatriate the prisoners. The deep indignation voiced in the statements made this afternoon stems from the outrage to the conscience of mankind. My delegation is confident that it will find forceful expression in a draft resolution to be adopted unanimously.

240. But while the immediate and compelling need is to secure the release and repatriation of the South West Africans concerned, this trial is only one manifestation of the grave situation in South West Africa of which the Council is now seized. This situation is the result of the continued defiance by South Africa of the will of the international community as expressed in General Assembly resolution 2145 (XXI). The refusal by the South African régime to transfer the administration of the Territory to the United Nations, as required by this resolution, constitutes a direct challenge to the Organization.

241. There is no area of the world where the authority of the United Nations is more directly involved than it is in South West Africa. There is no area of the world where it is more bluntly defied.

242. This challenge we are called upon to meet. The time for exhortations is past. Even condemnation of the actions and attitudes of the South African Government will no longer suffice. In its resolution 134 (1960) the Council recognized that the situation resulting from the policies of the South African authorities had led to international friction and, if continued, might endanger international peace and security. In its resolution 181 (1963) the Council "strongly deprecated these policies". In its resolutions 182 (1963) and 190 (1964) the Council called upon the South African Government to release all persons imprisoned, interned or brought to trial under arbitrary laws and to cease its continued imposition of discriminatory and repressive measures. Further, the Council has declared that the policies of the Pretoria régime are "abhorrent to the conscience of mankind".

243. If the Council was impelled to pronounce itself in so forthright a manner in these resolutions in regard to the situation within South Africa, it is clear that the Council is under a much greater compulsion to take a stronger stand regarding the tragic and explosive situation in South West Africa. The international status of this Territory is beyond question. It is simply intolerable that it should be subjected to the brutal laws and policies which are contrary to the general principles of law recognized by civilized nations and which have been condemned by mankind.

244. Pakistan hopes that all Member States will exert all their influence in order to induce the Government of South Africa to comply with the provisions of the resolutions of the General Assembly and the resolution which will, we trust, be adopted by the Security Council unanimously.

245. My delegation is firmly convinced that the very minimum which is expected of the Security Council is to adopt a resolution which, mindful of the grave consequences that are bound to flow from the illegal application of the shameful legislation of South Africa to South West Africa, will call upon South Africa to comply with the General Assembly resolution 2324 (XXII) and will condemn its refusal so far to do so.

246. My delegation regards the adoption of such a resolution as the very minimum that the Security Council needs to do for obtaining the release and repatriation of the South West Africans under illegal trial at Pretoria. The Council should take whatever steps might become necessary towards that end.

247. Speaking now as PRESIDENT of the Security Council, I should like to inform the members that as a result of the informal consultations on the course to be followed by the Council in connexion with the matter before it today, it is a matter of gratification that those consultations have resulted in a general agreement on the text of a draft resolution which I shall read out. The draft resolution reads as follows:

"The Security Council,

"Taking note of General Assembly resolution 2145 (XXI) of 27 October 1966, by which the Assembly terminated South Africa's Mandate over South West Africa and decided, inter alia, that South Africa has no other right to administer the Territory and that henceforth South West Africa comes under the direct responsibility of the United Nations,

"Taking note further of General Assembly resolution 2324 (XXII) of 16 December 1967, in which the Assembly condemned the illegal arrest, deportation and trial at Pretoria of 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),

"Gravely concerned that the Government of South Africa has ignored world public opinion so overwhelmingly expressed in General Assembly resolution 2324 (XXII) by refusing to discontinue this illegal trial and to release and repatriate the South West Africans concerned,

"Taking into consideration the letter of 23 January 1968 from the President of the United Nations Council for South West Africa (S/8353),

"Noting with great concern that the trial is being held under arbitrary laws whose application has been illegally extended to the Territory of South West Africa in defiance of General Assembly resolutions,

"Mindful of the grave consequences of the continued illegal application of these arbitrary laws by the Government of South Africa to the Territory of South West Africa,

"Conscious of the special responsibilities of the United Nations towards the people and the Territory of South West Africa,

"1. Condemns the refusal of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII);

"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. Invites all States to exert their influence in order to induce the Government of South Africa to comply with the provisions of the present resolution;

"4. Requests the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date;

"5. Decides to remain actively seized of the matter."

248. If no member of the Council has any comment to make at this stage, I shall take it that the draft resolution meets with the approval of all. In the absence of any objection, accordingly, I declare the draft resolution unanimously adopted.

It was so decided.¹²

249. I would request the Secretary-General to take steps immediately to transmit to the Government of the Republic of South Africa the text of the resolution which has just been unanimously adopted by the Security Council.

250. Two representatives have expressed a desire to speak in explanation of their votes. I shall call first on the representative of France.

251. Mr. BERARD (France) (*translated from French*): The French delegation, sharing as it does the feelings of the majority of delegations in the United Nations, particularly the African delegations, has associated itself with the decision taken on the resolution we have just adopted, despite the fact that, as the Council knows, it did not at the time vote in favour of General Assembly resolution 2145 (XXI), to which reference is made in the first preambular paragraph of the present resolution. My delegation still maintains the fundamental position which it has already had occasion to state on that subject in the General Assembly.

252. In the light of the division of areas of competence among the various organs of the United Nations prescribed in the Charter, moreover, my delegation takes the view that the adoption of resolution 2145 (XXI) is not binding on the Security Council, which consequently remains the master of its own decisions so far as the question of South West Africa is concerned.

253. The PRESIDENT: The other representative who has asked to speak in explanation of his vote is the representative of the United Kingdom.

254. Sir Leslie GLASS (United Kingdom): I have made clear the position of my Government with respect to the

¹² See resolution 245 (1968).

Terrorism Act and to the present trial which is being conducted under its provisions. I must now comment on other aspects of the resolution just adopted by the Council.

255. This resolution, like General Assembly resolution 2324 (XXII), takes as its starting-point, and quotes in its first preambular paragraph, resolution 2145 (XXI). The United Kingdom delegation abstained in the vote on that resolution in the General Assembly. We explained then, and have repeated since, the reasons why we were unable to support it. In supporting the resolution just adopted by the Council, therefore, we must reserve our position on those parts of it which refer to, or flow from, General Assembly resolution 2145 (XXI), and our support for the resolution and its wording must be understood in that sense. In particular, my delegation must have doubts about the unqualified use of the word "illegal" in this resolution.

256. To sum up, my Government finds repugnant this Act under which men are now on trial, perhaps for their lives, at Pretoria; it desires to be associated with the plea which, by the resolution just adopted, the Security Council addresses

to the Government of South Africa in respect of the trial. Despite its continuing reservations regarding certain parts of the wording of the resolution, my Government has therefore given its support to it.

257. The PRESIDENT: I have no further speakers inscribed on my list, and if no other representative wishes to speak, I propose to adjourn the meeting. Another meeting on the question will be convened by the President after consultation with members of the Council. Before closing the meeting, however, I should like to say a few words.

258. The Security Council has, a moment ago, taken a historic decision. It has acted on behalf of decency, freedom and justice. It has upheld the principles of the Charter. The fact that the decision has been adopted unanimously demonstrates conclusively that this Council has this day spoken in clear and unequivocal terms as the conscience of all mankind.

The meeting rose at 8.5 p.m.