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SIXTEEN HUNDRED AND THIRTY-EIGHTH MEETING

Held in Africa Hall, Addis Ababa, on Friday, 4 February 1972, at 3 p.m.

President: Mr. Mansour KHALID (Sudan).

Present: The representatives of the following States: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1638)

1. Adoption of the agenda.
2. Consideration of questions relating to Africa of which the Security Council is currently seized and implementation of the Council's relevant resolutions.

The meeting was called to order at 5.50 p.m.

Adoption of the agenda

The agenda was adopted.

Consideration of questions relating to Africa of which the Security Council is currently seized and implementation of the Council's relevant resolutions

1. The PRESIDENT: I should like to mention that I have received a telegram from the Chairman of the Union of Non-Independent African States, which I have asked to have issued as a press release.
2. It is the intention of the President of the Security Council to proceed with the discussion and voting on the draft resolutions before the Council. It has been brought to my attention by some members that one draft resolution on Namibia [S/10376/Rev.2] was submitted earlier than the other draft resolution before us now [S/10608/Rev.1]. Some of the members have indicated their intention to proceed with the discussion and explanations of vote on both draft resolutions before the vote. In my estimation the second draft resolution is a substantive draft resolution. Therefore, it might be advisable to discuss both draft resolutions at the same time and accordingly I intend to give the floor to members of the Council to explain their votes on both draft resolutions before we proceed to the voting on them.
3. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): Mr. President, it seems to me that your suggestion is an excellent one. I think that it will dispel any misgivings which may have existed yesterday. As far as my

delegation is concerned, in deference to your appeal to us, I shall explain my vote before the vote. I can do so only with regard to one of the draft resolutions, because with regard to the other draft resolution, which I sponsored [S/10376/Rev.2], the rules forbid me to do so. But since I am the sponsor, it is obvious how I shall vote. With regard to the draft resolution [S/10608/Rev.1], sponsored by Guinea, Somalia, Sudan and Yugoslavia, the Argentine delegation most decidedly supports it and will vote in favour of it.

4. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): We see no difficulty in discussing the two draft resolutions before us together. We have stated how much importance we attach to the draft resolution of Argentina [S/10376/Rev.2]. We think that in that text there is at least as much substance as there is in the other [S/10608/Rev.1]. But it is not our intention to discuss the relative merits of the two drafts. As far as we are concerned, the Argentine draft opens up a new way which might lead to concrete solutions. We believe this is so, first of all, because it is very well founded from the juridical point of view, being based upon the idea that, after all, South Africa is a Member of the United Nations and that South Africa cannot refuse representations made by the Secretary-General of the United Nations, with the support of the entire international community through the Security Council, and with the co-operation of a group which you, Mr. President, will have to constitute.

5. I must say that for our part we were quite ready to adopt the idea of the President of the Organization of African Unity, President Moktar Ould Daddah, when he requested that this action should be supported by the five permanent members of the Security Council [1627th meeting], but I did not get the impression that this idea had met with very enthusiastic support from some of my colleagues. However, that is not so important. The important thing is that the representations should be made. As I have said, if they fail, we should draw the necessary conclusions from that fact. However, we had the impression in October that the South African Government was interested in the idea. Obviously I cannot give any kind of guarantee about that, but I can confirm that at that time it did arouse some interest. Consequently, we consider that this is certainly an approach that deserves to be explored and that the Security Council would be doing useful and positive work by adopting this draft resolution. Of course I understand that some delegations are not entirely of this view and would much rather have the second draft resolution. For my part, I should like to reassure them right away: to the extent, of course, that this draft resolution,

submitted by Argentina, is approved by the Council, we shall not oppose the second draft resolution.

6. Mr. MOJSOV (Yugoslavia): Before the Council proceeds to the consideration of the revised draft resolution now contained in document S/10608/Rev.1, I should like to make certain clarifications and inform the Council about the nature of the changes and amendments that have been introduced in this text.

7. The sponsors of the draft resolution on Namibia were engaged, after the end of yesterday evening's meeting of the Council, in intensive consultations with many members of the Council, who had certain suggestions and remarks to offer concerning the original text of the draft resolution submitted yesterday [S/10608]. Those consultations were conducted in a spirit of co-operation and understanding and I am glad to inform the Council that they ended successfully with the introduction of certain slight changes and amendments to the original text. The sponsors accepted those changes in a spirit of accommodation and co-operation aimed at ensuring a favourable vote on the draft resolution by the overwhelming majority of members of the Council.

8. I should like to inform the Council about those agreed changes, which now appear in final form in the revised text of the draft resolution which has just been distributed to members of the Council as document S/10608/Rev.1.

9. The first change appears in the fourth paragraph of the preamble: that paragraph now reads:

"Convinced that the Security Council, as a matter of urgency, should find ways and means to enable the people of the Territory to achieve self-determination and independence,".

10. In the eighth paragraph of the preamble a new word—"relevant"—has been added. The words "of Article 25", which appear also in the revised text by a typing error, should be deleted, so that the paragraph would now read:

"Mindful of its responsibility to take necessary action to secure strict compliance with the obligations entered into by Member States under the relevant provisions of the Charter of the United Nations,".

11. I shall now proceed to the changes in the operative part of the draft resolution.

12. In operative paragraph 4 there is a typing error. Instead of the words "the system" it should be "any system".

13. In operative paragraph 5 the following words have been added: "to use all available means". Operative paragraph 5 thus reads as follows:

"Calls upon all States whose nationals and corporations are operating in Namibia notwithstanding the relevant provisions of Security Council resolution 283 (1970) to use all available means to ensure that such nationals and corporations conform, in their policies of hiring Namibian

workers, to the basic provisions of the Universal Declaration of Human Rights,".

14. The following words, appearing in operative paragraph 6 of the original draft resolution, have now been deleted: "and has grave consequences as concerns international peace and security". Operative paragraph 6, as revised, thus reads as follows:

"Considers that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant resolutions of the United Nations and of the Charter creates conditions detrimental to the maintenance of peace and security in the region;".

15. In operative paragraph 8 the words "steps or" have been added. That portion of operative paragraph 8 now reads: "to decide upon effective steps or measures, in accordance with the relevant Chapters of the Charter, . . .".

16. Those are the only changes made to the original text of the draft resolution on Namibia, and the sponsors are of the opinion that the text in its final form, as it appears now in document S/10608/Rev.1, will be acceptable to the overwhelming majority of Council members.

17. Mr. VINCI (Italy): Mr. President, my delegation is prepared to go along with your suggestion that each member of the Council should speak on both draft resolutions that have been introduced on the question of Namibia and explain its vote before we proceed to the vote. I think this is a very wise way of proceeding, especially because it will help to dispel the doubts which seem to be in the mind of at least one member of the Council as to the way in which some delegations will vote on these two draft resolutions. I think that if we followed your very constructive suggestion the question of priority would not even be raised.

18. As far as my delegation is concerned, I think I hardly have to speak about the draft resolution introduced by Argentina [S/10376/Rev.2]. I have explained all the reasons why the Italian delegation has supported it from the inception and why we will therefore vote in favour of it. Like our French colleague, we think that it is a constructive draft resolution and also that it has substance.

19. As far as the second draft resolution is concerned—that which has been introduced by Guinea, Somalia, Sudan and Yugoslavia [S/10608/Rev.1]—we appreciate the changes that have been introduced and Ambassador Mojsov's explanation of them. I think they improve the draft resolution, and I should like to say that my delegation is ready to vote in favour of it.

20. Mr. BOYD (Panama) (*interpretation from Spanish*): My delegation will vote in favour of the draft resolutions on Namibia, contained in documents S/10376/Rev.2 and S/10608/Rev.1, because we believe that these draft resolutions are complementary and that there is no incompatibility between them.

21. My delegation would like to congratulate the delegation of Argentina on its efforts in helping to bring about

the adoption of a constructive solution which will accelerate the independence of the people of Namibia.

22. Mr. LONGERSTAEY (Belgium) (*interpretation from French*): My delegation is glad to accept the invitation you have extended to us, Mr. President, to explain our vote before the vote. My delegation believes that the draft resolution submitted by Argentina [S/10376/Rev.2] and the draft resolution submitted by Guinea, Somalia, Sudan and Yugoslavia [S/10608/Rev.1], are interlinked.

23. As far as the Argentine draft resolution is concerned, my delegation is in favour of it. Indeed, that is not a new position; we have been in favour of such a text ever since last October. My delegation believes that this draft resolution will allow us to get out of the deadlock on *apartheid* in which we have been for a long time, and that it is a practical and realistic measure.

24. As far as the second draft resolution, submitted by the African States and Yugoslavia, is concerned, my delegation appreciates the efforts at conciliation that have been made, as is evidenced by the revisions submitted by Yugoslavia. Our vote on this text is linked to the vote on the Argentine draft resolution. If the latter is adopted, my delegation will also vote in favour of the other text as well.

25. Mr. BUSH (United States of America): In regard to the draft resolution sponsored by the representative of Argentina [S/10376/Rev.2], we will vote in favour of that draft resolution. The United Nations and the Security Council must seek every possible way to negotiate a solution of the question of Namibia. Since there are indications that the South African Government may be willing to enter into contact with the United Nations on this subject, we believe strongly that this approach must be tried.

26. We will also vote in favour of the draft resolution contained in document S/10608/Rev.1. In that connexion we would like to pay our respects to Ambassador Mojsov and to many others who, in a spirit of constructive negotiations, made some very difficult positions become compatible.

27. Mr. NAKAGAWA (Japan): My delegation welcomes and highly appreciates the initiative taken by the representative of Argentina in presenting the draft resolution contained in document S/10376/Rev.2 and will vote in favour of it.

28. At the last session of the General Assembly¹, the representative of Japan, in the Fourth Committee, expressed the support of the Government of Japan for the new approach to this problem foreseen in the draft resolution. This position remains unchanged. We firmly believe that the Secretary-General is the best authority to undertake the contacts envisaged in this draft resolution, and we have full trust in the competence of our new Secretary-General, Mr. Kurt Waldheim.

¹ See *Official Records of the General Assembly, Twenty-sixth Session, Fourth Committee, 1934th meeting.*

29. In the same spirit, my delegation agrees with the basic objective of the draft resolution sponsored by Guinea, Somalia, Sudan and Yugoslavia [S/10608/Rev.1] and will vote in favour of it. At the same time it is clear in our minds that the draft resolution, if adopted, should not interfere with the initiative to be taken by the Secretary-General as envisaged in the Argentine draft resolution.

30. Assuming that the Argentine draft resolution is adopted, I feel that the Security Council should first consider the report of the Secretary-General, to be submitted by 31 July 1972, in accordance with operative paragraph 3 of that draft resolution, before the Council determines what measures should be taken in the event of failure on the part of the Government of South Africa to comply with the provisions contained in the draft resolution in document S/10608/Rev.1.

31. Mr. TOURE (Guinea) (*interpretation from French*): Our consultations have enabled us to compare the various motives which led to the drafting of draft resolutions S/10608/Rev.1 and S/10376/Rev.2. From the very beginning the apprehension of my delegation had been that the system of direct or indirect dialogue between South Africa and Member States which have no relations with South Africa would be implicit in the draft resolution contained in document S/10376/Rev.2. The explanations that have been given in the course of our discussions have allayed our apprehensions. We continue to place full confidence in the Secretary-General in the necessary contacts that he will have with the Government of South Africa. In this particular case we can only wish the new Secretary-General every success and good luck in the important task he is about to undertake. That being the case, we have absolutely no objection to voting in favour of the draft resolution of Argentina, as it has just been submitted to us.

32. Mr. HUANG Hua (China) (*translation from Chinese*): The Chinese delegation will vote in favour of the draft resolution sponsored by Guinea, Somalia, Sudan and Yugoslavia [S/10608/Rev.1]. However, we deem it necessary to state that that draft resolution fails to condemn specifically the United States and the United Kingdom for supporting the illegal occupation of Namibia by the South African authorities.

33. Secondly, with regard to the draft resolution put forward by Argentina [S/10376/Rev.2], I should like to point out that the Chinese Government has consistently stood for the immediate achievement of national independence by the peoples of Namibia, free from any outside interference. This is also the strong desire and sacred right of the Namibian people. However, the contents of the draft resolution fail to reflect this basic principle. It should also be pointed out that the draft resolution does not at all condemn the illegal occupation of Namibia by the South African authorities and gives no support to the Namibian people's just struggle for national independence. The adoption of such a draft resolution would in effect mean the retrogression of the Security Council from its original stand on the question of Namibia.

34. As the Council will recall, the General Assembly and the Security Council have repeatedly adopted resolutions condemning the South African authorities for their illegal occupation of Namibia, demanding that the South African authorities immediately end their illegal occupation of Namibia and asking all countries to refrain from all relations and dealings with the South African authorities. In addition, the Assembly of Heads of State and Government of the Organization of African Unity, at its eighth session issued a solemn declaration rejecting any dialogue with the racist minority of South Africa. That declaration accords with the spirit of the various resolutions of the General Assembly and the Security Council.

35. We do not doubt the sincerity of the State sponsoring this draft resolution, but in our opinion the draft is not in keeping with the spirit of the various resolutions adopted by the General Assembly and Security Council or the declaration of the Organization of African Unity.

36. We feel a certain concern over whether this draft resolution might be used by some imperialist Powers to open the door to "dialogue" with the South African authorities, split the African countries and thus help the South African authorities extricate themselves from their present utter isolation and alleviate the pressure of the international community on them. We feel a certain concern in that regard. Should such be the case, it would unfavourably affect the just struggle of the people of southern Africa.

37. At the same time, since a relatively comprehensive draft resolution on the question of Namibia has been sponsored by Guinea and three other countries, we wonder whether there is any need to adopt the draft put forward by the representative of Argentina. The Chinese delegation, in consultations with the delegation of Argentina and some other delegations, has already made clear its position that the Council should deal with one, not two, draft resolutions, especially bearing in mind the fact that in all its previous resolutions on the question of Namibia the Council has never envisaged engaging in a dialogue with South Africa. All the resolutions of the past have demanded that the South African authorities carry out the decisions of the Council. They have contained no provisions for establishing any contact or carrying out any dialogue with the South African authorities. The General Assembly has made no such decisions on the question of Namibia.

38. The Argentine draft has therefore raised a brand-new problem before us. I cannot foresee its possible consequences. I believe that time for further study is required, and I therefore propose that the Council consult further on the Argentine draft and study its possible implications so that we may gain a clearer understanding on it. On a question as important as that of Namibia it is essential that we be very prudent. I therefore formally propose that the Council see whether it is possible to address an appeal to the representative of Argentina, our respected friend, as to whether it would be possible to defer discussion of this draft to give us more time to study this entirely new approach to the solution of the question of Namibia.

39. My next point concerns the procedure for this meeting. The Council has before it five draft resolutions.

Would the President please let us know the priority for the discussion of those drafts, and the priority for the two drafts on the question of Namibia? We should appreciate his clarification.

40. The PRESIDENT: As I said at the outset, the Council has before it two draft resolutions on Namibia, one of which was proposed long before the other. As a matter of fact, it was proposed before any other of the drafts now before the Council. Therefore, according to the provisional rules of procedure, it must have priority. But since there is another substantive draft resolution before the Council it was my opinion that the two drafts should be considered and voted upon at the same time. Any member wishing to contest my ruling could have done so.

41. Mr. HUANG Hua (China) (*translation from Chinese*): As I have said, there are altogether five draft resolutions before the Council. Which will the Council vote on first?

42. There are two draft resolutions before the Council on the question of Namibia. We cannot possibly vote on them both at the same time. Which will be voted on first? I would ask the President please to clarify that point.

43. The PRESIDENT: The normal procedure, of course, would have been to start with the draft resolution on Southern Rhodesia, then proceed to that on Namibia, then that on *apartheid*, then that on the Portuguese Territories—in the order in which they were proposed. But since there exists another draft resolution proposed long before the others, which in the normal course would have had to be considered before the other four draft resolutions, I thought it only pertinent and logical for the Council to consider it at the same time as the other draft resolution on Namibia. Following the same logic, I now intend to put to the vote the draft resolution contained in document S/10376/Rev.2 and then the draft resolution contained in document S/10608/Rev.1.

44. Mr. HUANG Hua (China) (*translation from Chinese*): I should like the members of the Council to consider the appeal which I have just addressed to the Ambassadors of Argentina and Italy and others who support the Argentine draft to consider deferring the discussion of that draft in order to give us more time to study it.

45. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): Since there are two draft resolutions on the question of Namibia, perhaps it would be a good idea to adopt the following procedure for voting: put to the vote the separate draft resolutions on Southern Rhodesia, the Portuguese colonies and South Africa, and then proceed to the two draft resolutions on Namibia. I think that would be a logical procedure.

46. The PRESIDENT: I do not know whether this is as much a question of logic as it is a question of the rules of procedure—whether the rules of procedure allow us to vote first on draft resolutions which have been submitted after other draft resolutions. I would prefer to put this question to the Council for its decision.

47. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The Security Council is the

master of its own procedure. If everyone agrees, the Council could vote on the three draft resolutions about which delegations do not appear to have any doubts or reservations, and then we could go on to vote on the two draft resolutions on Namibia. I wish to stress the fact that at every stage of its work the Security Council is the master of its own procedure and can take any decision on how to vote, irrespective of rule 40 of the provisional rules of procedure, which refers us to the Charter and to the Statute of the International Court of Justice.

48. The PRESIDENT: I quite agree with the representative of the Soviet Union that the Council is the master of its own procedure. That is why I said that the question should be put to the Council. However, before that is done, I think that there are some members of the Council who would like to speak.

49. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): It seems to me, Mr. President, that you made a proposal at the beginning of this meeting which was very fair and very timely. In accordance with the suggestion which you made with your authority as President, several delegations have already explained their votes on the two draft resolutions on Namibia before the vote. I think that this is the order that we should follow. When all delegations have made their statements, particularly those who yesterday raised the issue of misgivings and suspicions but who have not yet spoken, we could then go on to the procedural question raised by the Soviet delegation.

50. Once we have concluded the explanations of vote, I would with great pleasure reply to the appeal which was addressed to me in such a courteous and friendly manner by the representative of China.

51. Mr. BUSH (United States of America): The United States delegation supports the suggestion made by the President and feels that it is a fair way to proceed. We are in favour of proceeding to the vote after members have spoken, and we should vote on the draft resolutions in the order in which they have been presented to the Council.

52. Sir Colin CROWE (United Kingdom): Perhaps I might, following the representative of Argentina's suggestion, explain my vote as part of the general explanations of vote before we discuss the procedural matters.

53. The United Kingdom fully supports the draft resolution contained in document S/10376/Rev.2. We consider that it provides the most promising way forward to start a search for some solution to this extremely difficult problem. Indeed, it is to be hoped that the South African Government will respond in a constructive manner to this proposal.

54. The United Kingdom delegation also sympathizes with the objectives in the draft resolution contained in document S/10608/Rev.1. The Council will be aware from discussions that we had in New York—and I do not need to repeat them here—that certain clauses inevitably give us some difficulty over the legal issues, but we shall not oppose the draft.

55. Mr. VINCI (Italy): It is true that the Council is master of its own procedure. However, I should like to remind members round the table that the President made a proposal which was not objected to by the Council, namely, to proceed to explanations of vote on the two draft resolutions on Namibia. I think that since there was no objection to that proposal, we are already in the stage of voting and that, in accordance with the provisional rules of procedure, we cannot interrupt this stage. We are already in the stage of voting. That is the way I understand the rules of procedure. That is why I expressed the opinion before that once we had explained our votes no question of priority would arise. I think it is clear from the explanations of vote which have already been given that there is a clear majority in favour of both draft resolutions.

56. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I should like to explain why I think we have not yet started voting. Explanations of vote do not constitute actual voting. The President has not yet declared that voting has begun. If voting had begun, then according to the rules of procedure no one would have the right to speak. The representative of Italy has already spoken twice and so he would have been out of order.

57. The usual procedure is first to have an exchange of views and statements by representatives on the substance of a draft resolution and on how they will vote. Then, when the President declares that voting is beginning, there are no more explanations of vote or other statements. Accordingly for the time being we are still at the discussion stage. When the President declares that he is putting a draft resolution to the vote, no one may speak, and everyone must cast his vote for or against, or abstain.

58. The PRESIDENT: I wish to draw the attention of members to the fact that we have before us only four hours in which to consider all the draft resolutions before the Council. Otherwise, the time-limit imposed by the Council would not allow us to finish the work at hand. I appeal to members not to press these questions of procedure. I suggested a procedure to deal with these matters topic by topic. I explained why I wanted the two draft resolutions on Namibia to be discussed and voted upon at the same time. We have listened to explanations of vote by members before the vote and I intend to proceed to the voting in the manner I have suggested, unless any member wishes to contest my ruling.

59. Mr. HUANG Hua (China) (*translation from Chinese*): Before our vote today I should like to know whether the representative of Argentina would agree to deferring consideration of his proposal so as to give us more time to exchange views on this entirely new approach. We do not know if the South African authorities, the illegal occupying Power of the Territory of Namibia, have given any indication that they are willing to accept or respect the previous resolutions on Namibia adopted by the Security Council.

60. As far as we understand, the record is that the South African authorities have consistently defied and violated all United Nations decisions on the question of Namibia. If South Africa should persist in such an attitude, which it has

maintained for a long time, and if it does not change that attitude, then to ask our distinguished Secretary-General to carry out such a task might bring humiliation again to the United Nations and the Security Council, so that the United Nations, in the face of the illegal occupation of South Africa, would then meet insult and disrespect again.

61. I hope that everyone will give serious consideration to this point: who can guarantee that South Africa will react positively? I should like to hear the views of all the members that support this draft resolution—one by one.

62. The PRESIDENT: Does any member of the Council wish to comment on the statement just made by the representative of China?

63. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): I certainly have some comments to make in response to the observation just made by the representative of China. In my previous statement I said that I would do so—after all the members around this table had spoken—in accordance with your suggestion and your appeal, Mr. President. This afternoon comments have already been made on the draft resolution by Panama, Japan, Italy, Guinea, France, Belgium, to some degree China—50 per cent—the United States and the United Kingdom. Yesterday afternoon [1637th meeting] you, Sir, when you made your brilliant statement, gave your support to the draft resolution submitted by Argentina, and it goes without saying that you do not have to explain your vote on your own draft resolution. Furthermore, the ambassador of Yugoslavia, Mr. Mojsov, in submitting the draft resolution which is sponsored by Guinea, Somalia, Sudan and Yugoslavia, also said [*ibid.*] on behalf of the sponsors that they supported the draft resolution submitted by Argentina.

64. Therefore, if my calculations are correct, only two delegations remain to be heard. Above all, as I said yesterday [*ibid.*], my delegation attaches great importance and great merit to the vote of the Soviet Union and we should like to have that vote in favour of our draft resolution, since the African States of the Council and the African States that make up the African Group as a whole had come out in favour of our text. We shall listen very carefully, if the representative of the Soviet Union will be good enough to give us the benefit of his views, after which I shall proceed to give the explanations requested by the representative of China.

65. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I am surprised at the diversionary tactics being used by the representative of Argentina. After the intervention made by the representative of China I would have thought it logical for the representative of Argentina to answer the question he put. I did not put a question to the representative of Argentina.

66. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): The representative of the Soviet Union obviously wishes to keep a dialogue going with Argentina. He accuses me of diversionary tactics. I should merely like to remind the Council that it was he who yesterday afternoon [1637th meeting] said, in speaking of priority to be given to the draft resolutions, that he had some doubts

about how the members of the Council were going to vote on the draft resolution of the African members and Yugoslavia on Namibia. It is precisely in order to give some clarification to the representative of the Soviet Union that we are making this count of votes, one by one. Then, who is the one who made the suggestion, talks about diversionary tactics and has still not given his position? The Council can draw its own conclusions.

67. As to my reply to the representative of China, I am not evading, as I never evade, the duty of making a reply, and I shall do so as soon as I know the position of the Soviet delegation.

68. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): Mr. President, I think that as you pointed out, in view of the short time remaining to us, it would be appropriate to move ahead and proceed to the vote on the draft resolutions in the normal order, which is the one you indicated since there are priorities which derive from the date of submission of the draft resolutions unless there are any contrary proposals, which must be made formally, to proceed otherwise. In the final analysis, there is no use playing hide and seek here: a certain number of us, not all, have said clearly what we are going to do and have put our cards on the table. We think it would be well if all our colleagues would do the same.

69. I should like now to address myself to the representative of China, a colleague whom we hold in high esteem and who knows the admiration and the friendship which we have for his country. It was not our fault that he was not a participant long ago in the work of this Council, and we would have wanted to see him here much earlier to deal with all these questions, including that of Namibia. But, in fact, the draft resolution of Argentina has been tabled for many months now, and I would say that it is easier for us to vote on that draft resolution than on others which were introduced and formally submitted only yesterday. I do not know if my colleagues are in the same position, but for my part I have had some difficulty in getting into touch with Paris. I am even sorry to have to say that on most of the draft resolutions I have no sort of instructions whatsoever and that I am obliged to take decisions on the basis of the general policy of my Government. It is a matter of communications. However, it is obvious—and the representative of China has pointed this out—that the Argentine draft resolution offers something new which departs from the well-trodden paths and for our part, we consider that to be its essential merit, because we see in it a means of getting out of the present impasse.

70. We understand full well the scruples and the doubts entertained by the Chinese delegation. We know who is our opponent, and we know who will be on the opposite side of the table of the Secretary-General. But this party is still a Member of the United Nations and the idea precisely is to put that party with its back to the wall and to know, in as direct a fashion as possible, whether there is any means of getting out of the current situation and enabling the people of Namibia to express themselves freely on their own destiny. Now, although the representative of China has very rightly expressed his doubts, I would appeal to him most sincerely not to oppose an exploration of this course. We

have said, here in the Council, that if we were to encounter failure, which would be the failure of the whole international community, we, in France, would draw the necessary conclusions. That is why I appeal to the representative of China not to oppose this fresh exploration which may offer some results for the peoples of Africa.

71. The PRESIDENT: Since I made a ruling to proceed with the vote, I intend to do so. As a matter of fact, I had given the floor to the representative of Argentina to answer questions posed by our friend, the representative of China. If no answer is forthcoming at this stage, I intend to proceed to the voting.

72. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): Mr. President, I shall give you the answer requested by the representative of China, but first I should like to have the record show who is using diversionary tactics in this Council. I think that no one can have the slightest doubt about this; only one delegation has failed to speak out, although that was the delegation which raised such a hubbub yesterday.

73. Now, I should like to give my friend, Ambassador Huang Hua, the representative of China, the answer to his questions. I should like to begin by saying that ever since the Chinese delegation became a member of this Council the dialogue which has existed between that nation and mine could not have been more beneficial. For our part we respect and we benefit from the views of the Chinese delegation. On many occasions we have had the support of the Chinese representatives on Argentine proposals and for our part we are prepared to continue at the same level, with the same respect, friendship and with the same co-operation which have characterized our contacts in the Security Council. We speak in the same tone as the others use to us. The tone of dialogue with China has been friendly and it is in that way that we propose to answer the delegation of China.

74. In response to the question of the delegation of China I should like to say that I understand full well—I said this yesterday in the Security Council, I said it yesterday in the African group, and I have never tired of repeating it in all the contacts that I have had in the presentation of this draft—I understand full well the concerns, the doubts, the hesitations, the serious apprehensions which may occur not only to the Chinese delegation but also to the delegations of the African countries and—why not say it?—the countries of Asia and Latin America which feel themselves linked in brotherhood with the problems of this continent

75. We do not believe that this draft resolution [*S/10376/Rev.2*] tends to change in the slightest—I repeat in the slightest—anything of what the United Nations has adopted heretofore. My delegation has announced that it will vote in favour of the draft resolution submitted by Guinea, Somalia, Sudan and Yugoslavia [*S/10608/Rev.1*]. That draft resolution in its operative paragraph 2:

“Reaffirms that the continued occupation of Namibia by the South African Authorities is illegal and detrimental to the interests of the people of Namibia;”

This is what we are going to say in voting in favour of this draft resolution. We said this when we voted in favour of all of the resolutions that had been adopted on Namibia. We continue to believe—not only do we believe but we are absolutely convinced, in accordance with the resolutions of the General Assembly and with the advisory opinion of the International Court of Justice²—that the presence of South Africa in Namibia is illegal. But let us assume—and heaven grant that it may be so, in order to render justice to the people of Namibia—that South Africa might wish to change its attitude even tomorrow and abandon its occupation of the Territory, as it has been repeatedly asked to do by the United Nations. To whom would the Government of South Africa turn? With whom would it get in touch in order to complete the transfer of power? How would it arrange the administrative procedures? And it is well to point this out: the International Court of Justice itself, which says that the presence of South Africa in Namibia is illegal, recognizes the validity of these administrative acts. I refer to such administrative acts as those of notaries, registration of births and deaths and so on. The Court says if all of these acts were not recognized as valid, that would be prejudicial to the interests of the people of Namibia.

76. So I repeat: if the Government of South Africa should wish tomorrow to make this peaceful and orderly transfer of power, with whom would it get in touch in the first instance, if not with the Secretary-General of the United Nations? South Africa is a member of the Organization and has the duty to enter into contact with the Secretary-General. From these negotiations and these contacts we hope—and this is the sense of our draft resolution—that self-determination without any restrictions will emerge for the people of Namibia. We hope that this self-determination will lead to the independence of Namibia, and we hope that with the independence of Namibia the territorial integrity of that nation will be preserved and that it will become a Member of the United Nations as a free and sovereign State.

77. Argentina would be the last—the last of the 132 States that make up our Organization—to submit a draft resolution if we had the slightest legal or political doubt that this draft might interfere or would in any way constitute an obstacle to any of the other resolutions that have already been adopted by the United Nations.

78. It is simply a matter of trying a new approach with the sole and unique objective of ensuring that self-determination and independence are brought about in the shortest possible period of time.

79. I repeat—and I believe this is very important—that the mandate we are conferring upon our Secretary-General is limited to the creation of conditions that will enable the people of Namibia to exercise their right to self-determination and independence.

80. The representative of China has asked who can guarantee that the Government of South Africa will give a

² *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

favourable response. With the honesty, which is characteristic of all my statements, I can tell him that no one can guarantee that the Government of South Africa will give a favourable response. The only one able to do that is that Government itself. If it does not act realistically and with political common sense, if it does not heed the appeal which has been repeatedly made to it by the United Nations, lastly if it refuses to concede that it is geographically situated in a continent which by all possible ways and means is demanding that it give independence to this Territory which does not belong to it and which it has unlawfully expropriated, then South Africa will be closing all the doors. What I am saying is that no one can guarantee anything, but I believe—and I believe this sincerely—that this time at least it is worth while to try this approach to a solution.

81. I, like the representative of France, would in turn make an appeal to the Chinese delegation and to my friend, Ambassador Huang Hua, not to oppose this draft resolution.

82. I hope that I have satisfactorily answered the question he put to me.

83. The PRESIDENT: I hope that the statement made by the representative of Argentina has dispelled some of the fears of the representative of China.

84. Mr. HUANG Hua (China) (*translation from Chinese*): Mr. President, I should only like to pose one question as regards the voting procedure, as to whether the two draft resolutions will be voted on separately. The Chinese delegation maintains that they should be voted on separately so that the different delegations can make known their positions on them.

85. The PRESIDENT: I wish to assure the representative of China that that is what I intend to do.

86. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I would like to give some clarification in connexion with the doubts which have arisen in the mind of the representative of Argentina.

87. I do not understand what grounds he had for reproaching the Soviet delegation with having used diversionary tactics yesterday. There are absolutely no grounds for that. It would appear that the representative of Argentina did not listen to my statement closely enough, and that he has been too busy with consultations today to be able to read the verbatim record.

88. Yesterday I said that, after listening to the statements by the sponsors and after studying the contents of the draft resolutions, the Soviet delegation supports the resolutions and will vote for them. That is what I said yesterday. Is that really a diversionary tactic?

89. Today the President made a ruling that he intended to put the two drafts to the vote at the same time. We did not challenge that ruling. In such situations silence means consent. So why reproach us for using diversionary tactics? Obviously there is no basis whatsoever for reproach.

90. With regard to the substance of the Argentine draft, I must say quite frankly that I am not at all enthusiastic about it, and the Argentine representative if anyone is well aware of this. He and I have been discussing the draft since October or November, that is since it was first proposed. At that time the draft was quite different both in form and in content. The African delegations tried to persuade us to accept the first draft. We categorically rejected that idea. After many months of exchanging views, we have a somewhat different draft and the Secretary-General will carry out the task assigned to him under that draft resolution in close contact, co-operation and consultation with a group of members of the Council. The Council will thus be the master of this undertaking.

91. The Soviet Union firmly supports the immediate liberation of Namibia from the tyranny and illegal domination of the South African racists. We have confirmed this in our official statements at many points in the discussion of this question and in voting for the resolutions adopted by the General Assembly and the Security Council.

92. We do not think that the Argentine draft resolution is adequate to the essential purpose. However, in view of the persistent appeals by the African delegations which feel that this approach should be tried, we did not challenge the views or positions of the African delegations but merely pressed for amendments to ensure that the Secretary-General would not be responsible for the whole undertaking, but that members of the Council—a specific group of them—would also participate, so that the Council would be the master of this endeavour; although I must confess that frankly speaking I do not believe it will succeed. However, we based our position on the fact that this was the desire and the position of the African States, and also that the Secretary-General and the group of members of the Council which is to give him assistance and hold consultations with him will be guided by previous General Assembly and Security Council resolutions and also by today's resolution if the Council adopts it. There should be no deviations from these resolutions. With this in mind, we did not object to the Argentine draft resolution.

93. We would like to draw attention to the fact that the Argentine draft is not complete, but still contains dots and blank spaces. We must fill in these blanks. Who are to be members of the group which is to assist and consult actively with the Secretary-General? I submit that this question deserves attention and that it should be discussed before we proceed to the vote.

94. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): In all good faith, I think that I owe an explanation to the representative of the Soviet Union.

95. Yesterday, when I followed with the greatest attention—as I always do—the statement of the representative of the Soviet Union, I thought that he had referred to all the draft resolutions except the draft resolution of Argentina when he closed his statement in saying that he supported those drafts. Then he said: "Now I shall turn to the Argentine draft resolution." Therefore, I drew the conclusion that he had not taken a stand on our draft. If I misunderstood him, I apologize. Certainly, as I said

yesterday and as I have repeated today, we attach great value to the vote of the Soviet delegation.

96. What Ambassador Malik said was very true—namely, that the draft resolution submitted by Argentina does not arouse any great enthusiasm in the mind of the Soviet delegation; we knew that from the beginning, and therefore I am doubly grateful to him for not opposing it.

97. I also think and here I entirely agree with him—as I said in my statement yesterday—that it is not very likely that this draft resolution, if adopted, will be successful. We share the same view. But I also said that it was worth trying. Since the Soviet delegation is not going to oppose the draft resolution, I think that we agree on this too, and I am sincerely gratified that this is the case.

98. Finally, to prove that we very often agree with the Soviet delegation, like Ambassador Malik, I also think that it would be very interesting if before we proceed to the vote, the President would tell us, in accordance with what was proposed by the representative of Somalia [1637th meeting], the results of his consultations and consequently who will make up the group provided for in the draft resolution.

99. The PRESIDENT: On the instructions of the Council yesterday, I immediately commenced consultations with all the members of the Council on the composition of this group. I thought there was a measure of agreement on a limited increase in the number of this group, so that there would be three members; thus in addition to the two members already suggested, Argentina and Somalia, Yugoslavia would be added. I intended to convey that information to the Council after the voting on the two draft resolutions.

100. I propose now that we proceed to the vote.

101. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): Do I understand correctly that we are inserting the names of these three States into the draft resolution before the vote?

102. The PRESIDENT: Is there any objection to including the three names? I take it that the Council does not object. We shall proceed with the vote. I shall put to the vote first the draft resolution concerning Namibia which is contained in document S/10376/Rev.2.

A vote was taken by show of hands.

The draft resolution was adopted by 14 votes to none.³

One member (China) did not participate in the voting.

103. The PRESIDENT: We shall proceed now with the voting on the next draft resolution on Namibia, that is the draft resolution contained in document S/10608/Rev.1.

A vote was taken by show of hands.

³ See resolution 309 (1972).

In favour: Argentina, Belgium, China, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United States of America, Yugoslavia.

Against: None.

Abstaining: France, United Kingdom of Great Britain and Northern Ireland.

The draft resolution was adopted by 13 votes in favour, none against and 2 abstentions.⁴

104. The PRESIDENT: I call now on the representative of India, who wishes to explain his vote.

105. Mr. SEN (India): I wish to explain our vote after the vote. Mr. President, you have been following a very practical procedure for voting on these draft resolutions, and we are grateful to you for it. At the same time, it is a little unusual because we have discussed for the last seven days a number of subjects which are all connected with one another. Therefore I should like to say something in general terms at a suitable time, and I think the right time would be when I move the revised draft resolution on *apartheid* [S/10609/Rev.1].

106. I shall not take too much time now. I shall merely say that my vote should not be regarded, because of my silence, as full agreement with the Argentine text or even the other text. The representative of Argentina was gracious enough to admit that his draft resolution did not satisfy many of the African, Asian and Latin American countries, but it is an attempt, perhaps fruitless but worth trying. It is in that spirit that we voted for it.

107. However, on the other draft resolution, we should have liked a general consideration to be kept in mind. For instance, we should have liked in all these resolutions some provision to the effect that all Governments, whether in the United Nations or outside, should prohibit immigration to these areas. I do not see any mention of that. This is only one of the many reasons I have hesitated on these resolutions, but I shall come back to that later when I speak on the draft resolution on *apartheid*. Meanwhile I should like to report that our silence earlier in the debate was not meant to give full support to any of these resolutions but merely to go along with the spirit of the sponsors, a spirit we admire and share.

108. The PRESIDENT: There being no other explanations of vote after the vote, I should like to say that my intention is to proceed with the consideration of the draft resolutions in the way they were presented: that is, the draft resolution on Southern Rhodesia first, then that on the policies of *apartheid* of the Government of South Africa second, and the draft resolution on the Territories under Portuguese administration third. However, since we shall have a long night before us, I should like to adjourn now for 45 minutes.

109. Mr. SEN (India): Why should we adjourn? Why do we not continue?

⁴ See resolution 310 (1972).

110. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I should like to ask the same question.

111. The PRESIDENT: The answer is very simple. The members of the Secretariat have been working for a long time and simply would like to have a meal, and I think it is only reasonable that we allow them 45 minutes to do that.

112. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The same applies to us.

113. Mr. GHALIB (Somalia): With all due respect to the indication given by certain permanent delegations on the Council that it is not wise to adjourn now, I think, quite frankly, that although our primary task here is to deal with these draft resolutions—because millions of people are awaiting our verdict—there are two other commitments which we have tonight: receptions given by the Foreign Minister of Ethiopia and by myself. I do not intend to be selfish, but I think this time could be used for meals and also for honouring our receptions. Perhaps we were not right as far as timing is concerned, but our intention was to please and entertain you, with all sincerity.

114. That is why I would suggest that we reconvene at 8.30—or 9 o'clock, even—because I am sure we will be able to finish before midnight, as was ruled by the Security Council itself. Amplifying on what you said, Mr. President, I would just remind our friends that we do have those other

commitments, although these are, of course, more important to us. So I appeal to Council members that we adjourn now and come back at 8.30. We should be very happy to see you, if only for five or ten minutes.

115. Mr. MOJSOV (Yugoslavia): Mr. President, if I understood you correctly, you told us that you would proceed subsequently with the consideration of and voting on the various draft resolutions in the order in which they were submitted. I fully agree with you but, as I see from the numbers of the draft resolutions, the one contained in document S/10606 deals with Southern Rhodesia; that contained in the document bearing the next consecutive number, S/10607, submitted by Guinea, Somalia and Sudan, concerns the problem of the African Territories under Portuguese administration; and the third draft resolution in numerical order is that contained in document S/10609, dealing with the problem of *apartheid*. Shall we follow that order in our consideration of those draft resolutions?

116. The PRESIDENT: If I suggested the order I did, it was for the simple reason that we do not have at hand the revised document on the Territories under Portuguese administration. But if that revised document is available when we meet at 8.30 I intend, of course, to proceed in the order just mentioned by the representative of Yugoslavia.

The meeting rose at 7.25 p.m.