



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SEVENTH YEAR

1657th MEETING: 1 AUGUST 1972



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SIXTEEN HUNDRED AND FIFTY-SEVENTH MEETING

Held in New York on Tuesday, 1 August 1972, at 10.30 a.m.

President: Mr. Edouard LONGERSTAEY (Belgium).

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/1657)

1. Adoption of the agenda.
2. The situation in Namibia:
Report by the Secretary-General on the implementation of Security Council resolution 309 (1972) concerning the question of Namibia (S/10738).

The meeting was called to order at 11.10 a.m.

Expression of thanks to the retiring President

1. The PRESIDENT (*interpretation from French*): On assuming my duties as President of the Security Council I wish, on behalf of the members of the Council and on my own behalf, to extend my warmest congratulations to the retiring President of the Security Council, the permanent representative of the delegation of Argentina, Ambassador Ortíz de Rozas, on the capable manner in which he carried out his responsibilities.

2. July may have been a month of vacation for some of us. However, that was not the case for the Security Council and still less for its President. It is enough to recall that the Council was convened in order to consider the question of the implementation of resolution 316 (1972) concerning the Middle East. In that connexion, the President of the Council held consultations, which were extremely useful, in order to find a satisfactory solution to that problem. Ambassador Ortíz de Rozas also presided over the working group which was to take further action on the Secretary-General's note dated 25 February 1972 concerning the Declaration on the Strengthening of International Security. Moreover, quite recently he presided over the Council's debates on the questions of Southern Rhodesia and Namibia.

3. There is no doubt that, having met in exemplary fashion the many demands of an active month, our colleague will go down in the Council's history as one of its most brilliant Presidents.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

Report by the Secretary-General on the implementation of Security Council resolution 309 (1972) concerning the question of Namibia (S/10738)

4. The PRESIDENT (*interpretation from French*): In accordance with the decision taken by the Security Council at its previous meeting and with the agreement of the members of the Council, I propose to invite the representatives of the United Nations Council for Namibia to take places at the Council table.

At the invitation of the President, Mr. L. Samuels (Guyana) and Mr. O. Adeniji (Nigeria), representatives of the United Nations Council for Namibia, took places at the Council table.

5. The PRESIDENT (*interpretation from French*): Before calling on the first speaker on the list, I would like to draw the attention of the Council to the draft resolution submitted by the delegation of Argentina in document S/10750.

6. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): Mr. President, your very kind words about me and about my term of office as President of the Security Council during the month of July touched me very much. You have honoured me by your friendship and I am sure it was this that motivated you in making your comments about me. Indeed, what you said was generous in the extreme.

7. In my closing statement yesterday [1656th meeting] I said that if what the Council, and therefore what the President, did in the course of July was productive, it was so because of the unrestricted efforts of the members of the Council and their assistance to me during that month. Your comments about what I did and about the performance of the Council itself are eloquent proof of the co-operation which was provided me by all its members. In accepting your very kind words I should like, in turn, to convey those same sentiments to all 15 members of the Council. However, I should like to say at the same time that I am personally very deeply grateful to you for what you have said.

8. Almost six months ago at the memorable meeting in Addis Ababa, the Security Council, on a proposal by

Argentina, adopted, with no opposing votes or abstentions, resolution 309 (1972) of 4 February 1972 on the situation in Namibia. I had occasion then to speak, as indeed I had spoken earlier, at considerable length about the purpose pursued by the Argentine proposal. In spite of that, I should like in the course of this statement to refer to some of the more essential aspects of this question, because I believe that as we pursue our efforts we should always bear in mind what the point of departure is and what our objectives are.

9. Resolution 309 (1972), in its paragraph 1, confers a clear, concise and limited mandate on the Secretary-General. Specifically, he was invited to initiate as soon as possible contacts "with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations". This task was to be carried out "in consultation and close co-operation with a group of the Security Council, composed of the representatives of Argentina, Somalia and Yugoslavia".

10. In paragraph 3, the Secretary-General was asked to report on the implementation of the resolution before 31 July 1972. The purpose of this meeting of the Security Council is precisely to consider his report of 17 July 1972 [S/10738].

11. The Secretary-General has discharged his responsibility within the time limit stipulated and in a manner prescribed. I should like to associate myself with the congratulations and thanks which have already been expressed to Mr. Waldheim for the way in which he carried out his mandate. We were all well aware of the fact that his task would not be an easy one, in view of the complexity of the interests involved. However, we had great confidence in his tact, wisdom and resolution, which we knew he would bring to bear in overcoming the existing difficulties. We are indeed very pleased to see now that our confidence in him has been fully justified. Our thanks also to Mr. Chacko, Mr. Minchin and other members of the Secretariat, who with great devotion and efficiency assisted the Secretary-General.

12. Together with Somalia and Yugoslavia, Argentina was a member of the Security Council group working with the Secretary-General in implementation of resolution 309 (1972). I should like to say here that on all occasions we had a complete identity of views with all the delegations working with us, both as regards procedures and as regards our general approach to the substance of the matter. We owe our united action largely to the intelligence and effective participation of Ambassadors Farah and Mojsov and their closest associates. I trust they will all accept these words as a token of our friendship and gratitude. This open and complete understanding in the group led, among other things, to the aide-mémoire which we presented to the Secretary-General and which appears in annex I of the report.

13. I should like to stress the importance of the considerations set forth in that document, because we believe that in

a categorical and definitive way it establishes the true meaning of resolution 309 (1972) and eliminates any tendentious interpretations. Since we participated in the drafting of the document, it goes without saying that we unreservedly support it, and this of course is quite in line with what we stated at considerable length in the debate in Addis Ababa.

14. The Secretary-General's report can be viewed from two different points, although the goal would be the same. On the one hand, there is the aspect of the contacts between all the parties concerned and, on the other, there is the aspect of the results of those contacts. Let us take up these two aspects in that order.

15. Obviously, in fulfilling his mission, the Secretary-General scrupulously carried out the task of consulting all the parties concerned. Leaving aside the various meetings of the group of three, we should point out that the consultations began with Mr. Sam Nujoma, the President of the South West Africa People's Organization (SWAPO); he was interviewed in Geneva on 29 February last, before Mr. Waldheim's visit to South Africa. No one could possibly question the legitimate and direct interest of this political organization in the future of Namibia, so it was only logical and fitting that the Secretary-General, as a prior step, should explain to Mr. Nujoma the purpose of his mandate and in this way obtain valuable information about the situation prevailing in the Territory.

16. The second round of talks was held in South Africa, starting on 6 March, with the Prime Minister, Mr. Vorster, the Foreign Minister, Mr. Muller, and other authorities in the South African Government.

17. Subsequently, within the Territory of Namibia, the Secretary-General had occasion to confer with the representatives of various groups and political parties in Namibia and with delegations from the Legislative and Executive Councils of the so-called homelands and with prominent clergymen.

18. The brevity of his stay in Namibia, which was limited to 48 hours and confined to three cities, made it impossible for the Secretary-General to go more deeply into the realities of life in Namibia. These contacts were very limited indeed and, as the report states, they were of a preliminary nature. In addition, the report fairly states "there can be no guarantee that all Namibians who might have wished to make their views known to [him] had an opportunity of doing so" [See S/10738, para. 27]. However, the impressions gained during that brief period of time made it possible to set forth the interesting opinions expressed in paragraphs 25 to 36 of the report.

19. After returning to New York the Secretary-General pursued contacts with other interested parties, namely, the President of the United Nations Council for Namibia, the Chairman of the Committee of Twenty-four¹ and the Chairman of the *Ad Hoc* Sub-Committee on Namibia. Also

¹ Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

two other interviews were held with the President of SWAPO, Mr. Nujoma. From 15 to 18 May Mr. Waldheim held a number of meetings with the Foreign Minister of South Africa, the Secretary-General of the South African Foreign Ministry and the permanent representative of that country to the United Nations. Finally, on three separate occasions he reported to the Organization of African Unity, through its President, Mr. Moktar Ould Daddah, and at the recent assembly of the OAU in Rabat he reported personally to the various Heads of State and Foreign Ministers who were present.

20. I have dwelt at some length on the subject of contacts because I believe this is a matter of some importance. First of all, this shows that the Secretary-General has acted in strict accordance with the spirit and letter of resolution 309 (1972) as regards the concept of "all parties concerned". It could be argued that some of these contacts were not sufficiently lengthy or exhaustive or were not truly in the form of consultations. However, I would venture to say that in the brief period of five months and in view of the many other occupations of the Secretary-General of the United Nations, very few men indeed could have done as much without neglecting all the other problems confronting the Organization.

21. There is yet another fundamental aspect of these contacts which has already become obvious, that is, that there has been not just tacit but also expressed the practical recognition of the fact that in the question of Namibia there are several parties concerned and not only the Government of South Africa at one extreme and the United Nations at the other. Although the consultations were brief and summary, for the first time the people of Namibia were given a chance to express their views and their aspirations to the Secretary-General in accordance with a mission assigned by the Security Council. For the first time ever the political organizations of the Territory, on an equal footing with the South African Government itself, were given a chance to set forth their views about how best to settle the problem. For the first time ever a successful attempt was made to carry out certain efforts both within and outside the United Nations. Finally, the Government of South Africa also—according to the three points mentioned in paragraph 16 of the report—accepted the participation of these other interested parties. So what at the outset might have appeared to be a matter of pure form is now a fact which has been accepted and this fact is bound to play an essential role in the outcome of this long and delicate process.

22. I should now like to turn to the results of the efforts made by the Secretary-General. By and large these efforts have been somewhat positive. As regards South Africa, its Government declared its "willingness . . . to co-operate fully with [the Secretary-General] in the search for a solution to the South West African problem" [*Ibid.*, para. 18]. This decision by Pretoria was brought out in the form of facilities given to the Secretary-General before and during his visit to Namibia.

23. Yet the search for a solution should go beyond mere courtesy extended to the highest international official. It is necessary to go to the very heart of the matter, that is, the

establishment of the necessary conditions for the Namibian people freely and unrestrictedly to exercise its right to self-determination and independence, the sole goal of resolution 309 (1972).

24. Also, on the face of it, it appears rather encouraging that the Prime Minister of South Africa has assured the Secretary-General that his Government's policy vis-à-vis Namibia is one of self-determination and independence and that this has been incorporated in the first of the three points which arose from the talks in Cape Town [*ibid.*, para. 16] and was repeated and included in the three points which were agreed upon in New York with the Foreign Minister of South Africa [*ibid.*, para. 21].

25. It might be pointed out that although I have included these matters as part of the positive aspects, I have said that on the face of it this appears to be the case. The reason for this is very simple. If the South African authorities when speaking of self-determination and independence for Namibia use the same language and criteria as does the United Nations, that is, if they use the same language and criteria which served to put an end to colonialism throughout practically the entire world, it means that it could be said that at least in substance the problem is resolved. The only problem remaining would be how this can be done; in other words, the ways and means to ensure that the people of Namibia can achieve independence. If this is in fact the case, then we are indeed well on our way to solving the problem once and for all.

26. However, the 26 years of experience of the United Nations in this area suggest that we should be wary indeed and that we should maintain reservations about what construction South Africa places on the terms "self-determination" and "independence". This is a crucial matter which should be completely and unequivocally clarified by the Secretary-General and his representative in future contacts with the authorities in Pretoria. The position of the United Nations on this subject is very well known; if there was any need for it to be made known, it was set forth perfectly clearly by Mr. Waldheim in paragraphs 12 and 14. The position of the United Nations on the question of the preservation of national unity and territorial integrity of Namibia is also well known. What remains to be understood with perfect clarity, however, is South Africa's position.

27. There is no need to point out in this connexion that the continuation and the intensification of the policy of homelands by South Africa in Namibia in no way contributes to the search for a solution which the South African Government says it would like to find. Far from it, it might indeed constitute an insurmountable obstacle which could very well wipe out any efforts made in accordance with resolution 309 (1972). We trust that none of the measures adopted is irrevocable, as indeed Prime Minister Vorster pointed out a short time ago. In the meantime, however, we must consider that the least we can hope for is a policy of non-innovation while the Secretary-General pursues his contacts.

28. Finally, we must note the will of the various political groups and representatives of the people of Namibia

expressed to the Secretary-General to the effect that independence continues to be the desire of the overwhelming majority of the Territory. There may be differences of opinion as regards the future political structure of the country after it becomes emancipated, and this is only logical, but whether there will be a federation, a confederation or a unitary régime, which should depend entirely upon the desires of the Namibians, what is certain and fundamental is that the people want and should achieve independence as soon as possible.

29. Having made those general comments, I should now like to associate myself with what other delegations have said, and in particular with the positions of a number of African delegations. They said that the report did not contain substantive matters which required a decisive expression of opinion on the part of the Security Council at this stage.

30. The praiseworthy efforts of the Secretary-General have been devoted primarily to the creation of machinery to pursue the mandate conferred by resolution 309 (1972). This machinery, which will surely be increased and perfected, has taken the form of consultations with all the parties concerned, including, of course, the Government of South Africa. In addition—and this is an important point—it has been made perfectly clear that this machinery can function only in accordance with the aforementioned resolution. The basic task, the overwhelming issue, is the one that must begin now—that is, if the Council decides to renew the mandate.

31. In his conclusions, and in the light of his talks with the South African Government, Mr. Waldheim has told us that he believes it is worth while to continue his efforts. We share that view. It has therefore been suggested that a representative be appointed to assist him in his undertaking. We believe that to be a proper step. The responsibilities of the Secretary-General are many and varied. No matter how anxious he may be to work on the question of Namibia, his limited time cannot be devoted solely to the matter. It is necessary that someone assist him, who can work exclusively on the question, as he repeated yesterday in introducing his report for our consideration [1656th meeting].

32. It has been suggested that a better definition of the mandate to be assigned to the representative of the Secretary-General should be provided. We do not feel that that is an essential prerequisite. According to an old legal principle of universal application, no one can transmit to anyone else a more extensive right than the right he himself possesses. Accordingly, the Secretary-General will not be able to give his representative broader powers than he himself has received, and the powers of the Secretary-General have been specifically limited in resolution 309 (1972). In the interest of clarity I should like to repeat what his powers are: to establish

“the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principles of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations”.

It is obvious, then, that the representative also would have a limited mandate.

33. However, there is an even more important matter which should be borne in mind, and borne in mind on all occasions—that neither the Secretary-General nor his representative will be able to adopt any decision affecting or committing the future of Namibia without the express approval of the Security Council. The final and definitive responsibility in this matter will always, then, rest with the Security Council.

34. In the course of this statement I have said that there are a number of substantive issues which continue to need clarification. I am not the only one to point this out; other delegations have also expressed this valid concern. We believe that one of the primary matters with which the representative of the Secretary-General should occupy himself in the performance of his various tasks should be obtaining the necessary clarifications from the Government of South Africa in the light of the debate which has taken place here. In the performance of his functions the representative of the Secretary-General should enjoy full freedom of manoeuvre. He should be allowed to go to Namibia whenever necessary and he should be allowed to remain in the Territory for as long as is required by his various occupations. He should be given a chance to confer with all segments of the population without any interference or obstacles. In a word, he should enjoy the same prerogatives as would the Secretary-General. We trust that the Government of South Africa will view this matter similarly and will provide all the necessary facilities. Here, once again, it will have to demonstrate its good faith and its good intentions.

35. The delegation of Argentina has stated time and time again that we do not feel we are unduly optimistic about the outcome of our efforts. Time and time again we have said that we have doubts and apprehensions in view of the complexity of the matter and in view of the reluctance demonstrated by the Government of South Africa to co-operate with the United Nations in the past 26 years. The same doubts and apprehensions were expressed to the Secretary-General by the other parties concerned, as is brought out quite clearly in paragraph 48 of the report. Yet together with our scepticism we would repeat time and time again that it is the obligation of the Security Council and of all United Nations bodies to explore every possibility, to leave no stone unturned in order to lead Namibia to emancipation and independence. That is the objective from which we should never stray, not even for a moment. For that reason, and because we believe in historic justice for the people of Namibia, we shall continue to give our most determined support to the goals pursued by resolution 309 (1972).

36. I have now concluded my statement on substantive issues in this debate. With the Council's permission I shall now introduce the draft resolution submitted by Argentina in document S/10750, dated 31 July 1972.

37. The fact that this draft reproduces practically in its entirety resolution 309 (1972) makes it unnecessary for me to go into details, but as I consider this a matter of

paramount importance I should like to dwell for a moment on each of its paragraphs.

38. The draft resolution, logically enough, begins with a reference to resolution 309 (1972) of 4 February 1972, on the basis of which the present efforts have been undertaken, this, of course, without prejudice to all other resolutions adopted on the question of Namibia. In the interest of brevity, I should like to refer to the considerations set forth by the group of three in the aide-mémoire to the Secretary-General. As I stated earlier, the views of the delegation of Argentina on this question, as a member of the group of three, are set forth in that document—I believe in a very clear, categorical and unequivocal way

39. The second paragraph of the draft resolution reads: “*Having considered* the report submitted by the Secretary-General in accordance with resolution 309 (1972)”.

40. Then follows a mere statement of fact. The third and fourth preambular paragraphs, although they were contained in resolution 309 (1972), as is evident in the first preambular paragraph, were again appropriate in resolution 310 (1972), and we feel we should never tire of saying, in this resolution as in any other, that the most fundamental thing is the inalienable and imprescriptible right of the people of Namibia to self-determination and independence. We should never falter, we believe, in our effort to preserve the national unity and territorial integrity of Namibia. That is why we feel these paragraphs belong in this draft resolution too, even though they were also included in resolution 309 (1972).

41. In operative paragraph 1, the Council “*Notes with appreciation* the efforts made by the Secretary-General in the implementation of resolution 309 (1972)”. I believe that, regardless of the individual views of delegations here at this table, and also those outside this chamber, I can safely say all delegations are unanimously grateful to the Secretary-General for the remarkable way in which he has discharged his responsibilities in accordance with the mandate assigned him in resolution 309 (1972). We cannot fail then to express our appreciation to Mr. Waldheim for what he has done.

42. Operative paragraph 2 is copied almost verbatim from paragraph 1 of resolution 309 (1972). There is a very slight change: in resolution 309 (1972) the Council invited the Secretary-General to initiate contacts, and, as is well known, the contacts have already been initiated; so this draft resolution invites him to continue his contacts.

43. It may be noted that in operative paragraph 2 the idea of “consultation and close co-operation with the group of the Security Council established in accordance with resolution 309 (1972)” is repeated. We have included this matter solely in the interest of acting in accordance with resolution 309 (1972). It might, however, seem somewhat strange that a sponsor of a draft resolution should decide to make a reference to the group and thus to its participation in that group. I believe it is fair to say that both the delegations of Somalia and Yugoslavia, and the delegation of Argentina first and foremost, leave it in the hands of the Security Council to establish the membership of that group and, of

course, although we have said what we have in this paragraph, the Council is certainly free to change the membership of the group whenever it so desires. We have felt privileged to be a member of the group, but of course we are prepared at all times to yield our position to any of the very highly qualified delegations represented in this Council. It might also be in order to repeat what I said at the beginning of my statement, that is, that this paragraph contains a concise, limited mandate, namely, to establish the necessary conditions to enable the people of Namibia freely to exercise their right to self-determination and independence. It is also fitting to say that the limited mandate of the Secretary-General is matched by another limitation, that is, that the Security Council must endorse—I repeat must endorse—any decision regarding the future of the people of Namibia. I am making this point because I believe that within the limitations of the Secretary-General’s mandate he is quite free to explore any means which might lead as soon as possible to the self-determination and independence of the people of Namibia.

44. In operative paragraph 3, the Council

“*Approves* the proposal of the Secretary-General to proceed, after necessary consultations, with the appointment of a representative to assist him in the discharge of his mandate as set out in paragraph 2 above;”.

45. I should like to make two comments on this subject. The Security Council, in approving the Secretary-General’s proposal, is exercising a prerogative it cannot delegate, namely, to state its views on any proposal submitted to it on matters of principle, substance and procedure on the subject of Namibia. That is why I have said that the final decision will always rest with the Council and that is why this paragraph expresses approval for the proposal. The second comment which I should like to make on this paragraph concerns the fact that the representative should assist him in the discharge of his mandate as set out in paragraph 2. May I stress once again that the mandate of the representative certainly cannot be considered to exceed the mandate assigned to the Secretary-General and that, in assisting the Secretary-General, he will of course encounter the limitations set forth in that paragraph.

46. Finally, in operative paragraph 4, the Council

“*Requests* the Secretary-General to keep the Security Council informed as appropriate and in any case to report to it on the implementation of resolution 309 (1972) and of this resolution by 15 November 1972.”

47. We are well aware that the Secretary-General had another date in mind. In his report he mentions 30 November. We also realize that if the Security Council adopts this draft resolution the time between its adoption and the date set for the submission of the report will not be particularly long, and that during this period the Secretary-General and his representative will have to be very active indeed and will have to carry out intense consultations with the Government of South Africa and with all the other parties concerned. It is very likely that the Secretary-General will want to ask his representative to go to Namibia and stay in the Territory for as long as is necessary to familiarize

himself with all the details of the views and desires of the people. It can certainly be said then, that not very much time has been allotted.

48. If we have suggested 15 November, it is because we would like to act in accordance with the suggestions put forward by the African Group through its very worthy representatives in the Security Council. Mr. Farah of Somalia and his colleague Mr. Abdulla of Sudan told us yesterday [1656th meeting] that the African Group, at a very long meeting at which the matter was discussed, felt that the date of 15 November would make it possible for them to consider the matter in depth, not only in the Security Council but also in the General Assembly, and this would also make it possible for some of their Foreign Ministers or other high officials to deal with a problem which, as everyone realizes, is of fundamental importance to Africa. That is the only reason why we have cut 15 days from the time limit originally suggested by the Secretary-General. The Argentine delegation trusts that between now and then the Security Council will receive the necessary clarification on a number of these issues and that enough progress will have been made for us to reach a final decision on the substance of the matter.

49. In conclusion, I would only express the hope that this draft resolution will be adopted unanimously in the confidence that this is one more positive step toward the objective which we should not lose sight of for one moment, the self-determination and independence of Namibia.

50. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translation from Russian*): Mr. President, may I first congratulate you on behalf of the Soviet delegation on your assumption of the office of President of the Security Council for August and wish you success in the discharge of your important responsibilities.

51. I would also like to express our gratitude to the representative of Argentina for his skilful conduct of the Council's work during July.

52. The Soviet delegation would like to set forth its views on the Secretary-General's report on the implementation of the Security Council resolution concerning the question of Namibia [S/10738]. The Soviet Union's basic position on Namibia has already been explained during consideration of this question in the Security Council and General Assembly. The multinational Soviet State formed 50 years ago by the free union of many nations and nationalities, who now live together in one free family, is guided in its foreign policy by the Leninist principles of internationalism. The Soviet Union supports the peoples of all continents in their struggle against all forms of colonial and neo-colonial oppression and for their sacred right to decide their own destiny. The USSR is firmly convinced that one of the main tasks in present international conditions, as was emphasized in the decisions of the Twenty-fourth Congress of the Communist Party of the Soviet Union, is to achieve the full implementation of United Nations decisions on the elimination of the remaining colonial régimes and the universal condemnation and repudiation of manifestations of racism and *apartheid*.

53. Arguing from these basic principles, the Soviet Union has steadfastly called for the immediate liberation of Namibia from the tyranny and domination of the South African racists and the granting of full freedom and independence to the people of Namibia. This consistent position of the Soviet Union has been reflected in major decisions of the Security Council and General Assembly providing for the exercise by the Namibians of their inalienable right to independence and a separate existence.

54. In recent years the Security Council and General Assembly have adopted a number of important decisions emphatically condemning the predatory, racist policy of South Africa towards Namibia, confirming the inalienable right of the people of Namibia to self-determination and independence as a unified whole and recognizing the legality of the Namibians' struggle against foreign domination. During its meetings held at Addis Ababa the Council condemned, in its resolution 310 (1972), the refusal of South Africa to comply with the previous resolutions of the General Assembly and Security Council pertaining to Namibia and called upon South Africa to withdraw immediately its police and military forces from the Territory of Namibia. The Soviet Union has always considered that in the light of all these United Nations decisions the continued occupation of Namibia by South Africa is completely illegal and must be brought to an end.

55. South Africa, however, relying on the military, economic and political support of a number of imperialist Powers, continues to disregard these United Nations decisions and to hold Namibia illegally under its colonial domination. The South African authorities persist in their practices of mass terror and repression designed to crush the Namibian people's struggle for their rights, freedom and independence.

56. In these conditions, as members know, a proposal emerged last year for a so-called new approach to the problem of Namibia. In the course of consultations between members of the Security Council this proposal was most actively supported by those very members of the Security Council whose policies have enabled the South African racists to continue to sabotage with impunity the decisions of United Nations bodies on Namibia. In view of this and other factors serious doubts arose in the Soviet delegation during the consideration of the corresponding resolution.

57. At yesterday's meeting of the Security Council [1656th meeting] the representative of Somalia recalled that last February at the Addis Ababa meetings the representative of Argentina had referred to the concern, doubt, hesitation and serious misgivings felt by the African, Asian and Latin American countries [1638th meeting].

58. May I remind members of the Security Council that in the consultations on the draft resolution on Namibia in the autumn of last year and, later, in the course of our consideration of the text later adopted as resolution 309 (1972) during the Security Council's meetings in Africa it was in fact the Soviet delegation which expressed in the clearest and most decisive terms its reservations about the so-called new approach to the problem of Namibia. At that

time we stressed that the method of persuasion and entreaty would have no effect on the South African racists. Only the collective and united efforts of all countries holding anti-imperialist and anti-colonial views can cause the South African racists to comply with United Nations decisions. At that time we pointed out that resolution 309 (1972) did not meet the main requirement of the problem of Namibia and might divert United Nations efforts, especially those of the Security Council, from the main objective, which is the immediate liberation of Namibia from the illegal domination of the South African racists. However, considering the views of the African delegations which, as we know, thought that the approach indicated in resolution 309 (1972) was worth trying, the Soviet delegation did not object to the resolution's adoption.

59. Almost six months have elapsed since the adoption of resolution 309 (1972). The Secretary-General has submitted to the Security Council a report on the work he has done to implement this resolution and on the contacts he has established with parties concerned in the question of Namibia. The Soviet delegation considers that an important factor for the proper assessment of this report is an objective analysis of the political situation in Namibia and the position of the South African Government in this matter. Can we say that South Africa's policy has undergone changes which might remove those doubts and misgivings, expressed by us together with the African and certain other States, about the approach indicated in the resolution? Has there been any positive progress towards a solution of the Namibian problem in accordance with United Nations decisions? It is clear from the facts that the situation in Namibia and the policy and actions of the Republic of South Africa have not changed during the intervening period. South Africa still refuses to recognize the decisions of United Nations bodies on Namibia and persists in its insolent defiance of the United Nations, the African countries and the international community as a whole. As several speakers have already remarked, the South African Government is unwilling even to state its attitude towards resolution 309 (1972) which is the basis for the Secretary-General's approach to the Pretoria authorities.

60. It is impossible to overlook the fact that at the very time when contacts were being established between representatives of South Africa and the Secretary-General, the South African authorities were continuing their efforts to strengthen the South African presence in Namibia and destroy the unity of that country in violation of Security Council resolutions which provide for the maintenance of the Territory of Namibia as a unified whole and the protection of its territorial integrity. The South African authorities are continuing the policy which they have pursued since 1968 of establishing the so-called Bantustans—small, fragmented units set up on tribal lines—with the object of preserving their rule in Namibia. Immediately after the decision to grant so-called "self-government" to Ovamboland, a declaration was made on the granting of "autonomy" to the people of Damaraland. These actions of the Republic of South Africa in violation of clear decisions by the Security Council and General Assembly, and South Africa's continued efforts to dismem-

ber Namibia, cannot but evoke serious alarm and concern for the fate of the Namibian people.

61. Have any changes for the better occurred during the intervening period in the Territory of Namibia itself? Are there any signs of such changes? No, there are not—despite the elaborate efforts of certain members of the Security Council to discover them in the actions of the South African racist authorities in the Territory. The South African racists continue to employ methods of mass terror and cruel repression to stifle the just aspirations of the Namibian people for unity and independence. They promulgate in Namibia racist laws, decrees and administrative orders and they are applying the policy and practice of *apartheid* which has been condemned by the United Nations and the entire world community as the most heinous crime against humanity. Literally every day factual evidence comes to light of new measures, such as illegal arrest and deportation, which the South African authorities are using in Namibia to restrict the freedom of Namibians and deprive them of their fundamental rights.

62. As we recently learned, the South African authorities are employing repressive measures against those representatives of the Namibian people who met with the Secretary-General or dared openly to express their opinions and state demands to secure the rights of the Namibian people.

63. The recent vigorous protest by miners in Ovamboland revealed to the whole world the monstrous slave system of hiring and exploiting Namibian workers—a system employed in the interest of foreign monopolies which enrich themselves by exploiting Namibia's resources and manpower. In the face of this vigorous protest by Namibian workers the South African authorities felt compelled to improve the outward appearance of their shameful system for exploiting Namibians, but in substance the basically inhuman, enslaving character of the system remains intact.

64. Such are the realities of the situation in Namibia. They leave no doubt in the mind of the Soviet delegation as to the real intentions of the Republic of South Africa, namely, to maintain its domination over Namibia. We can draw the certain conclusion that there have been no changes either in the political situation in Namibia or in the policies and actions of the Pretoria authorities which might provide grounds for pious consolation or illusions concerning the annexationist, colonialist intent of the South African authorities.

65. Recent events and the facts which have emerged have clearly demonstrated the validity of the doubts expressed by the Soviet representative at the Security Council's meetings in Addis Ababa as to the effectiveness of seeking to solve the Namibian problem by the means specified in resolution 309 (1972).

66. These events have shown that South Africa has no intention of complying with United Nations decisions and is continuing its policy of dismembering the Territory of Namibia. The purpose of these manoeuvres is quite clear. The South African racists are endeavouring to ensure the eventual annexation to the Republic of South Africa of the richest parts of Namibia and the maintenance of their domination over the Namibian people.

67. In these circumstances we cannot exclude the possibility that the appointment by the Secretary-General of a special representative for Namibia might be used by the South African racists as a cover for further delays in implementing the resolutions on Namibia providing for the preservation of the territorial integrity of Namibia and the granting of independence of its people.

68. At the same time the Soviet delegation is mindful of the fact that the representatives of African countries who have spoken during our consideration of this question declared their intention not to object to the proposal that the Secretary-General should continue to discharge his mandate, appoint his representative for Namibia and report to the Security Council by 15 November 1972.

69. However, the Soviet delegation would like to stress once again that in the implementation of the Security Council resolution the Secretary-General, the group of three members of the Council composed of the representatives of Argentina, Somalia and Yugoslavia and the Secretary-General's representative for Namibia will operate within the framework not only of resolution 309 (1972) but also of all the other resolutions of the Security Council and General Assembly concerning the question of Namibia and that they will be guided by the provisions of these resolutions.

70. In conclusion, Mr. President, I would like to express the Soviet delegation's condolences to the Belgian Mission to the United Nations in connexion with the death of the former Prime Minister of Belgium, the distinguished Belgium statesman, Mr. Paul-Henri Spaak.

71. Mr. BUSH (United States of America): My delegation has followed with great interest the efforts of the Secretary-General in his consultations with the Government of South Africa and other parties to meet the objective set by the Council at our historic meeting in Addis Ababa. We are encouraged that progress has been made as indicated by the Secretary-General's report which we are now meeting to consider. The task we have set for the Secretary-General has not, indeed, been an easy one, and I think we should all applaud the adroit manner in which he and his very able staff, with the wise counsel of the group of three, have handled a most difficult situation.

72. The representative of the Secretary-General will have a very delicate responsibility in the months ahead in pursuing the role established by the current draft resolution [S/10750] and outlined in the Secretary-General's report. We are indeed hopeful that the next phase of his efforts will move forward from what has been a good beginning but we should recognize that it will take time to make significant progress on this difficult issue. The Secretary-General deserves, in our view, the fullest measure of our understanding and support, and the members of this Council should make him clearly aware that they stand behind him. My Government pledges to him and to the group of three the fullest measure of our support as the Secretary-General attempts to carry out the difficult task with which we have entrusted him and with which we shall further entrust him once this draft resolution has been adopted, as I am sure it will be. We hope he will be able to report to this Council by

15 November appreciable progress towards the ultimate achievement of the goals of Security Council resolution 309 (1972).

73. Mr. NAKAGAWA (Japan): Mr. President, first of all let me congratulate you on your assumption of the high office of the presidency of the Security Council. I wish to pledge to you the whole-hearted co-operation of my delegation during the month of August. May I also convey my congratulations to your predecessor, Ambassador Ortíz de Rozas of Argentina, for the brilliant manner in which he discharged his task as President of the Council during the month of July.

74. My delegation wishes to join other delegations in expressing sincere condolences on the untimely death of Mr. Paul-Henri Spaak, the great statesman not only of Belgium but also of the world. The brilliant record of his achievements will for ever remain in the annals of mankind.

75. My delegation wishes to congratulate our esteemed Secretary-General on the energetic and dynamic manner in which he has been implementing the mandate conferred upon him by Security Council resolution 309 (1972). We wish also to thank the representatives of Argentina, Somalia and Yugoslavia, who as the group of three extended valuable co-operation and assistance to the Secretary-General at every juncture of his contacts with the parties concerned. My delegation is gratified that the valuable initiatives taken first by Ambassador Ortíz de Rozas and then followed up by the Secretary-General with the assistance of the group of three have borne fruit and at last provided us with the practical ways and means to break the impasse which we have been facing for so many years in spite of the repeated decisions of the United Nations and the advisory opinion of the International Court of Justice.² We now see a glimmer of light in the sheer darkness which has long dominated the question of Namibia.

76. My delegation is well aware that the task of implementing resolution 309 (1972) is still at an initial stage. No doubt there are still many difficulties to be overcome. In order to surmount such difficulties and to nourish and develop the valuable initiatives taken by the Secretary-General and the group of three, all Member States should bear in mind the importance of extending maximum support and assistance to them.

77. I wish to quote from the statement I made in the meeting of the Security Council in Addis Ababa on 4 February 1972, in connexion with resolution 309 (1972):

"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 [see 1638th meeting, para. 28]."

78. My delegation wishes to assure the Council that the report of the Secretary-General further strengthens my

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.*

Government's confidence in the competence of our Secretary-General in the fulfilment of the mandate conferred upon him by resolution 309 (1972). As for the next steps to be taken in this respect, we are fully prepared to approve the proposals of the Secretary-General contained in paragraphs 51 and 52 of his report.

79. My delegation will vote in favour of the draft resolution contained in document S/10750, which has been formulated in an even-handed manner by Ambassador Ortiz de Rozas of Argentina. We hope that the draft resolution will be adopted unanimously.

80. Before concluding, my delegation wishes to express to the Secretary-General and the group of three its sincere hope and expectation that even greater success will crown their efforts in the discharge of their mandate under resolution 309 (1972).

81. Mr. DIOP (Guinea) (*interpretation from French*): Mr. President, on behalf of my delegation I should like to congratulate you on your assumption of the post of President of the Security Council for the month of August. I also wish to congratulate your predecessor, Ambassador Ortiz de Rozas of Argentina, who performed his duties as President of the Council during the month of July with great wisdom and ability. We hope that under your leadership we shall continue to have more success in Council affairs during this month.

82. My delegation and Government wish to join with other delegations in expressing condolences to the Government and the people of Belgium on the death of Mr. Paul-Henri Spaak, whose devotion to the cause of peace and world security is well known far beyond the borders of Belgium. His demise is a loss not only for Belgium but also for the entire world.

83. Regarding the item on our agenda, my delegation has examined the report on Namibia submitted by the Secretary-General and wishes first to join with the delegations that have preceded me in expressing deep thanks to the Secretary-General for the tireless efforts he has made since the Addis Ababa session of the Security Council last February in order to find a more just and speedy solution to the burning Namibian problem.

84. The eyes of the Namibian people are turned on us, Mr. President, in the hope that the efforts undertaken by the Secretary-General and the Security Council will expedite the process of the self-determination and independence of Namibia.

85. The position of all Africa, including that of the Guinean Government, on the Namibian problem, as on so many similar African problems, was submitted to the Council by President Moktar Ould Daddah of Mauritania as current President of the Organization of African Unity in New York on 27 September 1971 [1583rd meeting] and in Addis Ababa on 28 January 1972 [1627th meeting].

86. Namibia is a Territory which has been administered and occupied against the will of its people by the South African Government. Since 1960 that Government has

consistently violated all the relevant resolutions of the Security Council and the General Assembly. Quite recently, the International Court of Justice, pursuant to Security Council resolution 284 (1970), rendered an advisory opinion to the effect that the presence of South Africa in Namibia is illegal and that South Africa must immediately withdraw its administration from and put an end to its occupation of that area. This advisory opinion of the International Court of Justice was welcomed with enthusiasm by the Namibian people and was approved by the Members of the United Nations in general and of the Security Council in particular.

87. Furthermore, through President Moktar Ould Daddah, the Organization of African Unity asked the Security Council to apply the appropriate provisions of Chapter VII of the Charter against the Government of South Africa because of its persistent refusal to turn over the administration of Namibia to the international Organization. In other words, the Security Council should demand and obtain the immediate and unconditional withdrawal of the illegal administration of South Africa of the international Territory of Namibia.

88. We know how difficult it is to implement the provisions of Chapter VII. However, the challenge thrown down today by South Africa to the international community may destroy the very foundations of our Charter and constitutes a very real threat to international peace and security. Therefore we should now study ways and means of putting an end to the illegal occupation of Namibia by the racist regime of Pretoria. The Security Council should at this point take the necessary steps to create conditions which would enable the Namibian people freely to exercise its right to self-determination and independence.

89. For that reason my delegation, while praising the Secretary-General for his initiatives, encourages him to continue along the lines set down in Security Council resolution 309 (1972). Nevertheless, my delegation cannot conceal its concern over fundamental matters which do not seem to be very explicit in the Secretary-General's report and we hope to receive some explanation on those points.

90. Is the South African Government ready to change its colonial policy and to grant independence unconditionally to Namibia? When? What will the guarantees be? Does the Secretary-General feel that he can rapidly achieve self-determination and independence for Namibia and can he do so without the assistance of the United Nations Council for Namibia, the *Ad Hoc* Sub-Committee on Namibia, the political organizations of Namibia and without the effective assistance of the United Kingdom?

91. In this connexion, my delegation calls for the liberation of all political detainees and the return of exiled leaders, freedom of movement and expression, the withdrawal of all South African forces from the Territory of Namibia, the rapid transfer of the administration to the authentic representatives of Namibia and the non-creation of "homelands" and Bantustans in Namibia. Furthermore, my delegation suggests that the next report of the Secretary-General on Namibia should be presented to the Security Council by 15 November 1972 at the latest.

92. Following these various comments and suggestions, we should like to reiterate our hope that the Secretary-General's efforts will be crowned with success. It is our hope that the next report of the Secretary-General, on his forthcoming contacts with South Africa will provide new and positive elements which will take account of the fundamental prerequisites we have already mentioned and the inalienable right of the Namibian people to independence.

93. I now come to the draft resolution submitted by Argentina [S/10750]. My delegation will vote in favour of that draft, just as we voted in favour of the draft resolution in Addis Ababa, in order to support the efforts of the Secretary-General. We reiterate our confidence in him.

94. Sir Colin CROWE (United Kingdom): Mr. President, may I begin by congratulating you upon your assumption of office. I would also congratulate the representative of Argentina on the wise and skilful manner in which he conducted the proceedings of this Council during July.

95. We are today discussing the first results of resolution 309 (1972) and the possibility of carrying a step forward the initiative we took therein. My delegation voted in favour of that resolution, and we are grateful to the Secretary-General for the skilful and scrupulous way in which he has taken up the task we laid on him in February. We should also like to thank and congratulate him and his collaborators for the clear and detailed report which sets out the results of his contacts with all the parties concerned and his recommendations for the future.

96. Perhaps I may also recall that when we discussed Namibia in October last year [1589th meeting] I expressed the hope that ways could be found—including, perhaps, visits by the Secretary-General or his representative to the Territory—by which constructive progress could be made. At the same time I said we should not underestimate the difficulties in the path of a successful negotiation.

97. A number of delegations have stressed those difficulties. It is natural that they should do so, and it is well to have one's eyes wide open when undertaking an operation of this delicacy. But in diplomatic negotiations the direct road is not always the quickest way to the desired end and if we are to make real progress we must be prepared to try many paths.

98. That is why my delegation welcomed the proposal in resolution 309 (1972) and why we are encouraged by the progress made so far in this attempt to find a peaceful solution by contact and discussion. We understand the difficulties that lie ahead, and we hope that all parties will continue to respond in a constructive manner so that further progress can be made. We endorse the suggestion that the Secretary-General should continue his efforts as proposed and we shall support the draft resolution contained in document S/10750.

99. The PRESIDENT (*interpretation from French*): I call on the representative of Italy, who wishes to speak in explanation of his vote.

100. Mr. MIGLIUOLO (Italy) (*interpretation from French*): Mr. President, we know that in the month of August we shall be able to count on your wisdom and your great diplomatic experience. We should like to wish you every success in your task and to give you our support.

[*The speaker continued in English*].

101. I should like to associate myself with the tribute today deservedly paid to your predecessor. When last month we started the consideration of a thorny question nothing could have been more reassuring to my delegation than knowing that it could draw on the wealth of intellectual and professional skills of Ambassador Ortíz de Rozas of Argentina. We congratulate him on the successful completion of his mandate.

102. My explanation of the positive vote I shall cast on behalf of Italy on the draft resolution contained in document S/10750 will be confined to a few remarks, as it is the understanding of my delegation that the complex political aspects of the question of Namibia will be dealt with on a later occasion.

103. The position of my country on the issue under consideration is well known. The people of Namibia should be allowed to exercise its right to self-determination and independence. Namibia should achieve full independence in conformity with the principles of the Charter. The unity and territorial integrity of Namibia should be preserved.

104. Against this background, last autumn my delegation took an active part in the work of the *Ad Hoc* Sub-Committee on Namibia for the preparation of the resolutions that were adopted by the Security Council on 20 October 1971 and 4 February 1972. We made it clear on that occasion that our Organization, in its search for all practicable courses of action aimed at leading the Namibian people to independence, should not ignore the possibility, however, remote it might appear to be, of achieving progress through contacts and discussions with the Government of South Africa.

105. At the same time, we have maintained in the past—and I wish to repeat it today—that we consider the path of negotiations as not exclusive of any other action that the United Nations might feel useful to undertake under the Charter. That is why we fully supported Argentina in the matter of the adoption of resolution 309 (1972), and we were gratified at seeing that that resolution met with the approval of 14 members of this Council, including all its African members. We considered Ambassador Ortíz de Rozas' initiative as an earnest attempt to use whatever leverage was offered by a traditional instrument of diplomacy which has proved successful under many difficult circumstances. Indeed, we do not need to be reminded that we are confronted with a very difficult case. The Secretary-General's report on the preliminary contacts he has held with the Government of South Africa and all parties concerned reveals the stumbling-blocks that still lie before him.

106. We consider that Mr. Waldheim deserves a warm tribute of appreciation both for the patient, skilful and

tenacious manner in which he has fulfilled his difficult task and for the objectivity of his report. We feel indebted to him, as well as to the members of the Secretariat who have helped him, in particular Mr. Chacko, Deputy to the Under-Secretary-General for Political and Security Council Affairs.

107. I wish also to express the gratitude of my delegation to the delegations of Argentina, Somalia and Yugoslavia which, as a group of three established by resolution 309 (1972), have provided valuable assistance to the Secretary-General.

108. It is the considered view of my delegation that it would not be appropriate at this juncture to dwell at length on the many aspects of the contacts with the Government of South Africa as they emerge from a study of the Secretary-General's report. We trust the Secretary-General, we believe in his full dedication to the Charter, and we therefore accept the conclusion he drew from the first stage of his action when he said:

"On the basis of my discussions so far with the Government of South Africa, I believe that it would be worthwhile to continue the efforts to implement the mandate of the Security Council with the assistance of a representative of the Secretary-General [*see S/10738, para. 50*]."

Consistent with our endorsement of that conclusion we shall vote for the draft resolution which has been submitted to the Council for its approval.

109. We wish to express the hope that the continuation of the contacts of the Secretary-General and his representative with the Government of South Africa and all parties concerned will meet with the necessary co-operation and open the way for a solution of the Namibia question in accordance with justice and with the principles of the Charter.

110. Mr. RIOS (Panama) (*interpretation from Spanish*): First of all may I be allowed to congratulate you, Mr. President, on the way in which you have begun your difficult task of guiding the deliberations of the highest organ of the United Nations. Your diplomatic experience and wisdom ensure the best of results.

111. At the same time, I should like to congratulate here in the Council the Ambassador of Argentina, Mr. Ortíz de Rozas, who so wisely and in such an able manner directed the deliberations of the Council in the month of July, which was not an easy month at all. I should like to do this in public although I have offered him my congratulations in private.

112. I should also like to take this opportunity, on behalf of the Government of Panama and on my own behalf, to express our deepest sympathy on the occasion of the death of a great Belgian statesman, a great European statesman and, in fact, one of the great statesmen of our time. Paul-Henri Spaak. With his death we have lost a great mind which guided Europe during the difficult post-war period. I request you, Mr. President, to transmit our expression of

sympathy to your entire delegation, to your Government and to the family of the deceased.

113. In connexion with the subject before the Council, my delegation wishes, first of all, to express its sincere appreciation to the Secretary-General for the very comprehensive and encouraging report which he has submitted. He has very ably carried out the task assigned to him in resolution 309 (1972). Our appreciation goes similarly to the three representatives who assisted the Secretary-General in this undeniably useful undertaking, one which is of vital importance for the freedom of Namibia.

114. So as to make it possible for the Secretary-General to pursue his positive efforts to bring about the complete independence of Namibia, the delegation of Argentina has submitted a draft resolution [*S/10750*] which we consider to be extremely useful and very opportune. In the optimistic hope that the day is not far off when the people of Namibia will be able to exercise their right to self-determination, we will cast our vote in favour of the draft resolution.

115. The PRESIDENT (*interpretation from French*): Before we proceed to vote on the draft resolution which is before the Council I call on the Secretary-General, who wished to make a brief statement.

116. The SECRETARY-GENERAL: I have listened with great attention to the statements made in this Council yesterday and today.

117. First of all, I wish to express my appreciation for the very kind words which the President of the Council for July, Ambassador Ortíz de Rozas, and you, Mr. President, as well as the members of the Council have addressed to me.

118. I have taken note that several members of the Council in their statements have raised a number of issues in connexion with my report and the further action to be taken by the Secretary-General in pursuance of the mandate entrusted to him by the Council in resolution 309 (1972). I have taken particular note of the points raised by the representative of China [*1656th meeting*].

119. I fully understand and appreciate the concern of the members and the reasons which have led to their raising the various issues. I am also aware of the need to see to it that the efforts undertaken pursuant to resolution 309 (1972) do not in any way prejudice the fundamental position of the United Nations concerning Namibia.

120. I am sure that the members of the Council will understand that it is not possible at this stage to attempt to provide clarifications on matters which will have to be clarified in the course of my further efforts, should the Council decide in favour of continuing the mandate.

121. I should, however, like to assure the members of the Council, and in particular the representative of China, that I shall keep the points raised by them very much in mind in the course of my subsequent contacts with the parties concerned with the assistance of the proposed represen-

tative of the Secretary-General. I am also sure that the group of three which will continue to assist me in the discharge of my mandate has also taken due note of the concern expressed and the points raised in the course of this debate.

122. In conclusion, may I express once again my gratitude for the valuable assistance and support given to me at all stages of my work by the representatives of Argentina, Somalia and Yugoslavia as members of the group of three designated by the Security Council.

123. Mr. FARAH (Somalia): I wonder whether the sponsor of the draft resolution [S/10750], the representative of Argentina, would have any difficulty in transferring the last two preambular paragraphs to the operative section, making them paragraphs 1 and 2 and renumbering the other operative paragraphs accordingly. I make this suggestion because of the prominence given to and the concern expressed about these two fundamental aspects of the question by every delegation which has taken part in the debate, and it is an acknowledged fact in the United Nations that when a matter of this kind appears in the operative section it does somehow attain a position of paramountcy and is often more binding than the preambular paragraphs. I wonder if the representative of Argentina would have difficulty in complying with my request. I realize that it was very considerate of him to provide us with a draft of the resolution as far back as last Friday and I am sorry that my delegation has taken so long to convey its opinion to him, but this opinion has also been expressed to me by other members in the hope that we could, perhaps, arrange a change in the draft resolution which would reflect the changes I have proposed.

124. Mr. HUANG Hua (China) (*translation from Chinese*): At the Security Council meetings in Africa last February the Chinese delegation expressed its principled stand on the question of Namibia [1638th meeting]. It did not participate in the voting on resolution 309 (1972) initiating talks by the Secretary-General with the South African authorities on the achievement of the independence of Namibia. It is clear to all that the words and deeds of the South African authorities over the past six months have shown no optimistic signs at all. We would like to take this opportunity to make some further remarks on the question of Namibia.

125. First, since the Security Council meetings in Africa, the Secretary-General has held talks with the South African authorities on the question of Namibia. The facts show that instead of abandoning its reactionary stand the South African racist régime has resisted even more stubbornly the relevant resolutions of the General Assembly and the Security Council, continued its illegal occupation of Namibia, and intensified its efforts to strengthen its fascist rule over Namibia. Let us look at the facts.

126. On 4 February, the very day when resolution 309 (1972) was adopted, the South African Prime Minister, John Vorster, wantonly clamoured in the House of Assembly that if the Secretary-General "wishes to come to South Africa to act as a mouthpiece for the extremists of the Organization of African Unity and others, and decisions

taken in that connexion, he will nevertheless be welcome and still be very courteously received by us but I can tell him in advance that he will be wasting his time". Vorster's words are not only arrogant and unreasonable, but are open slander and vilification of the Organization of African Unity and of all the countries and peoples that uphold justice.

127. What are "decisions taken in that connexion"? Since the South African racist régime has never recognized or complied with any of the resolutions of the General Assembly, the Security Council and the OAU concerning Namibia, the Secretary-General will naturally only be "wasting his time" in going to South Africa as the mouthpiece of the "decisions taken in that connexion". With these few words, Vorster's determined position to continue the illegal occupation of Namibia has been fully revealed. Unless the United Nations deviates from the stand of past resolutions at the expense of the self-determination and independence of the Namibian people and bows to the blackmail of the South African racists they should not come, or they will be "wasting their time". Can this be tolerated by any State Member of the United Nations which adheres to the principles of the Charter and upholds justice?

128. While receiving the Secretary-General, the South African authorities have been stepping up their policy of so-called Bantustans and undermining the territorial integrity and national unity of Namibia. A month or so ago, in accordance with their persistent policy of granting their so-called self-determination and independence to the Namibian people as they informed the Secretary-General, the South African authorities decided without any hesitation to establish "self-government" in Ovamboland and Damara in pursuance of their "homeland" policy. The mere mild concern expressed in the Secretary-General's report regarding these developments has already evoked a counter-charge from the South African Prime Minister. The latter told the lie that this is "simply part of the process by which the peoples concerned are being politically prepared to exercise at the appropriate time their right of self-determination". What a fine-sounding term, "the peoples concerned". To put it bluntly, they are the South African racists and the handful of puppets they have fostered. By "being politically prepared", he means to usurp the name of the "peoples" to oppose the achievement of genuine independence and freedom by the Namibian people. By "exercise at the appropriate time their right of self-determination", he means to strangle the Namibian people's struggle for independence and self-determination by enforcing the so-called homeland and Bantustan policies and employing the colonial tactics of "divide and rule".

129. To this end, the South African authorities have been pushing their homeland policy and splitting the territorial integrity and national unity of the Namibian people, on the one hand, and enforcing all kinds of suppression decrees and the policy of *apartheid*, on the other. A great number of freedom fighters who struggled for the independence of Namibia have been executed, imprisoned or exiled. The Namibian people have been deprived of all basic democratic rights. Shortly after the Secretary-General's visit to Namibia, some representatives who met the Secretary-

General at their own risks were unwarrantedly arrested. The Acting President of SWAPO was ordered not to leave Walvis Bay and banned from all political activities.

130. All this is the truth about the so-called process of "being prepared".

131. Secondly, the perverted acts of the South African racist authorities have evoked the strong indignation of the Namibian and other African peoples and strengthened their firm resolve to fight for national independence. Early this year, the miners in Namibia held large-scale strikes. The waves of strikes swept 23 cities and towns and 11 mining areas, the number of strikers reaching half of the total number of workers in Namibia. The strikes forced six of the eight major mines to stop production completely, thus dealing a heavy blow at the South African colonialist authorities. Since the beginning of this year, the people of Ovamboland have held armed uprisings and waged heroic struggles with sickles, spears and arrows against the South African colonialists. The people in Ovamboland and elsewhere have also held many demonstrations in protest against the atrocities of the South African authorities. The demonstrators chanted the song "Namibia, we want to be liberated from enslavement", which gives expression to the Namibian people's heroic spirit of fearing no brute force in their firm resolve to win independence and freedom.

132. The ninth Assembly of the OAU concluded not long ago also expressed resolute support for and powerful solidarity with the Namibian people's struggle. The resolution on Namibia adopted by the Assembly condemned the South African white racist régime and the imperialist support to the South African authorities, reaffirmed the all-out support of the member States of the OAU to the Namibian people's just struggle and firmly rejected "dialogue" with South Africa for freedom and independence. These developments vividly show that the Namibian people have won increasing sympathy and support in their struggle and that the South African authorities are utterly discredited, hard-pressed and increasingly isolated.

133. Thirdly, the Chinese Government and people have always extended deep sympathy and resolute support to the Namibian people's just struggle for self-determination and independence. We will unswervingly stand together with the African people and the Namibian people and join them in working for the African cause of unity against imperialism and for the Namibian people's just cause of national independence. We hold that the correct solution to the question of Namibia is that the correct stand of the previous General Assembly and Security Council resolutions on Namibia must be upheld and the South African authorities must immediately end their illegal occupation of Namibia and withdraw their military and police forces as well as their administration from Namibia, so as to let the Namibian people achieve their independence free from any foreign interference. In view of the South African authorities' refusal to comply with the relevant resolutions of the United Nations, the Security Council should consider the adoption of more effective measures to give strong support to the Namibian people's just struggle for independence and freedom and should not take any measures which might possibly help the South African authorities extricate

themselves from their isolation and alleviate the international community's pressure over the South African authorities. The Security Council should take corresponding measures in consideration of the resolution on Namibia adopted by the ninth Assembly of the OAU.

134. The Chinese delegation has serious reservations and expresses deep anxiety and apprehension over the prolongation of the Secretary-General's mandate and the continuation of the "dialogue" with the South African authorities. The words and deeds of the South African authorities have already proved that continued dialogue with South Africa will be of no help to the Namibian people's struggle and the complete settlement of the Namibian question.

135. The question of Namibia has been under discussion in the United Nations for 26 years, which are but a short span in human history. But within this short period of 26 years important changes have taken place in Africa. In Africa, which used to be vilified as a "dark continent" by the Western colonialists over a long period, more than 40 countries have won independence. Relying on its united strength, the awakened Africa is advancing confidently along the road to safeguard national independence and win national liberation. The current situation in Africa is excellent. Although the South African racist régime can run wild for a time with the support and connivance of some imperialist Powers, in the long run it is doomed to fail. The ninth Assembly of the OAU proclaimed to the whole world that its determination remains "the total liberation of the African continent from foreign domination and occupation, and the eradication of colonialism and racial discrimination in all its forms. We are deeply convinced that this great goal can and will certainly be attained. The Namibian people will surely strengthen their unity, persevere in their struggle, overcome all the difficulties on the road of advance and open up a victorious future with their own hands.

136. On the basis of the position we have stated, the Chinese delegation decides not to take part in the voting on the draft resolution before us [S/10750].

137. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): A few moments ago the representative of Somalia addressed a few comments to my delegation and proposed a few changes in the draft resolution [S/10750] which we have introduced. Specifically he suggested that the third and fourth preambular paragraphs be put in the operative part of the draft resolution.

138. Mr. Farah is aware how pleased we always are to receive his suggestions, in view of the great respect we have for his intelligence and for his thorough knowledge of United Nations subjects. On this occasion, however, I have a few comments I should like to make.

139. I would first say that I regret that these suggestions were made just a few minutes before the vote was to take place. As he was aware, the draft resolution was introduced informally five days ago and formally yesterday. I also regret that the delegations that put the suggestions to the representative of Somalia found it inadvisable to approach the Argentine delegation, which, after all, is the sponsor of

the draft resolution. I believe that a minimum of courtesy would have dictated that we be approached on the subject.

140. In the United Nations there is a growing trend to disregard the preambular part of a resolution as if it were a kind of uninvited guest in the resolution as a whole. But my delegation for legal reasons ascribes the same importance to the preambular part of a resolution as to the operative part. For the purpose of balance the preambular part should set forth reasons, and the operative part should deal with actions to be taken by an organ. That is only logical, natural and normal. I very much fear that if this trend continues, to underestimate preambular parts of resolutions, which are fundamental, not only the Security Council but also the General Assembly and other bodies may soon see resolutions without preambular parts. Everyone will believe that what follows the "having considered" is fundamental, and will begin numbering from the first paragraph to the end. Perhaps then the entire resolutions will be operative statements.

141. Having said that, I should like to say now, more specifically on the subject of the suggestion which was made, that my delegation in our statement earlier made it perfectly clear that for its part the inalienable and imprescriptible right of the people of Namibia to self-determination and independence and the national unity and the territorial integrity of Namibia are fundamental in this and in any other undertaking.

142. Only for this reason—although logic perhaps would not dictate that this should be done—can my delegation agree that these preambular parts be put in the operative part of the draft resolution. I should like to make a correction to the suggestion made by my friend Mr. Farah.

143. In the interest of form, I think the first paragraph should not be the one reaffirming the inalienable right or the national unity. I think that what is now operative paragraph 1 should remain operative paragraph 1 and read: "*Notes with appreciation* the efforts made by the Secretary-General in its implementation of resolution 309 (1972)". I think this is a logical consequence of the first and second preambular paragraphs. Then operative paragraph 2 would read: "*Reaffirms* the inalienable and imprescriptible right of the people of Namibia to self-determination and independence". Operative paragraph 3 might read: "*Reaffirms also* the national unity and the territorial integrity of Namibia". Operative paragraph 4 would be the present operative paragraph 2. Paragraph 5 would be what is at present paragraph 3, and would have to have to be altered somewhat. The words "as set out in paragraph 2 above" will have to read: "as set out in paragraph 4 above".

144. My delegation can accept the suggestions by the representative of Somalia, though we continue to maintain reservations about this untoward trend in the United Nations to underestimate the importance of preambular paragraphs in all resolutions and we continue to ascribe maximum importance to preambular parts of resolutions, as we said earlier.

145. Since I have the floor and since we are about to vote on this draft resolution, I should like to comment on

something that was said to me by Bishop Leonard Auala of the Lutheran Evangelical Church of Ovambo-Kavango. Bishop Auala is a fighter for the independence of Namibia and is at the same time the pastor of 300,000 souls in Ovamboland. We believe that his authority in this area is unchallenged. In a statement to me he said *inter alia*—and I wish to quote what he said because it is important:

"We thank those who sent the United Nations Secretary-General, Mr. Kurt Waldheim, to investigate and seek a solution of these problems."³

146. As my delegation sponsored the draft resolution which was adopted as resolution 309 (1972) and is sponsoring this draft resolution, under which the Secretary-General is to continue his efforts, I should like to say merely that I feel I am in very good company with Bishop Auala.

147. Mr. FARAH (Somalia): I am most grateful to the representative of Argentina for the courtesy he has accorded the proposal I made. I appreciate his line of thinking—indeed, I subscribe to it in the main—that in a resolution adopted either by the Security Council or the General Assembly the preambular and the operative parts have equal importance.

148. However, the reason why my delegation, and the other delegations which brought the matter to my attention, felt it necessary to make mention in the operative part of the question of the right of the people of Namibia to self-determination and independence and also to that of the national unity and the territorial integrity of Namibia was that these two particular points are so cardinal to this very unique exercise on which the United Nations has embarked, and I am glad that that has been recognized by the representative of Argentina.

149. I agree also with his proposal as to where these two particular paragraphs should fit in the operative part of the draft resolution.

150. The PRESIDENT (*interpretation from French*): Since there are no further speakers, the Council will now proceed to vote on the draft resolution contained in document S/10750, as amended. Operative paragraph 1 will continue to be numbered 1. The penultimate and the last paragraphs of the preamble will now be numbered operative paragraphs 2 and 3. The present operative paragraphs 2, 3 and 4 will become operative paragraphs 4, 5 and 6 respectively.

A vote was taken by show of hands.

The draft resolution was adopted by 14 votes to none.⁴

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

151. The PRESIDENT (*interpretation from French*): I should now like to ask the members of the Council to allow me to make a short statement in my capacity as the representative of BELGIUM.

³ Quoted in English by the speaker.

⁴ See resolution 319 (1972).

152. First of all, I should like to thank the representatives of the Soviet Union, Japan, Guinea and Panama for their expressions of sympathy and condolences to the Belgian delegation and the Government of Belgium on the death of our former Prime Minister and Minister for Foreign Affairs and the first President of the General Assembly of the United Nations. I shall certainly transmit to the Belgian Government as well as to the family of our illustrious

compatriot the expressions of sympathy of this chamber where Paul-Henri Spaak so often spoke.

153. I also wish to thank those who have expressed their good wishes for the success of the Council's work during my presidency.

The meeting rose at 1.35 p.m.