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EIGHTEEN HUNDRED AND ELEVENTH MEETING

Held in New York on Tuesday, 17 December 1974, at 10.30 a.m.

President: Sir Laurence McINTYRE (Australia).

Present: The representatives of the following States: Australia, Austria, Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Indonesia, Iraq, Kenya, Mauritania, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America.

Provisional agenda (S/Agenda/1811)

1. Adoption of the agenda
2. The situation in Namibia:
Letter dated 13 December 1974 from the Permanent Representative of Upper Volta to the United Nations addressed to the President of the Security Council (S/11575)

The meeting was called to order at 11.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:

Letter dated 13 December 1974 from the Permanent Representative of Upper Volta to the United Nations addressed to the President of the Security Council (S/11575)

1. The PRESIDENT: A letter has been addressed to the President of the Security Council by the representative of Morocco which contains a request that his delegation be invited to participate without the right to vote in the discussion of the question on the agenda in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure. Following the usual practice, I propose, if I hear no objection, to invite the representative of Morocco, in accordance with his request, to participate in the discussion without the right to vote.

2. In view of the limited number of seats available around the Council table, I now invite the representative of Morocco to take the place reserved for him at the side of the Council chamber, on the understanding that he will of course be invited to take a place at the Council table when he is scheduled to speak.

At the invitation of the President, Mr. Zaïmi, (Morocco) took the place reserved for him at the side of the Council chamber.

3. The PRESIDENT: I have also received a letter, dated 16 December, from the President of the United Nations Council for Namibia, which reads as follows:

“Taking into account its special responsibilities for the international Territory of Namibia as set forth in General Assembly resolutions, the United Nations Council for Namibia wishes to participate in the forthcoming meeting of the Security Council on the question of Namibia. The Council will be represented by the following delegation: Ambassador Rashleigh E. Jackson of Guyana, President of the Council; Mr. Zimba of Zambia; Mr. Vlasceanu of Romania; and Mr. Budhiraja of India.”

4. It may be recalled that on previous occasions when it was considering the situation in Namibia the Council extended invitations to representatives of the United Nations Council for Namibia, in particular at its 1628th meeting on 28 January 1972, at its 1656th meeting on 31 July 1972 and at its 1756th meeting on 10 December 1973. Accordingly, I propose, if I hear no objection, that the Council extend an invitation, pursuant to rule 39 of its rules of procedure, to the President and the other members of the delegation of the United Nations Council for Namibia.

At the invitation of the President, Mr. Jackson (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

5. The PRESIDENT: I wish to inform members of the Council also that I have received a letter dated 17 December from the representatives of Kenya, Mauritania and the United Republic of Cameroon [S/11580]. This letter contains a request that the Security Council extend an invitation under rule 39 of the provisional rules of procedure to Mr. Peter Mueshihange, Secretary for Foreign Relations of the South West Africa People's Organization (SWAPO). As I hear no objection, I take it that the Council is agreeable. I therefore invite Mr. Mueshihange to take the place reserved for him at the side of the Council chamber. At the appropriate time I shall request him to make his statement.

At the invitation of the President, Mr. Mueshihange took the place reserved for him at the side of the Council chamber.

6. The PRESIDENT: This meeting of the Security Council has been convened in response to the request contained in the letter dated 13 December addressed to the President of the Council by the representative of Upper Volta on behalf of the African Group of States [S/11575]. The Council has also received in this connexion a letter dated 13 December from the Secretary-General [S/11576], drawing attention to General Assembly resolution 3295 (XXIX) of 13 December 1974 concerning the question of Namibia. In Section II of that resolution, the General Assembly:

“Urges the Security Council to convene urgently in order to take without delay effective measures, in accordance with the relevant Chapters of the Charter of the United Nations and with resolutions of the Security Council and of the General Assembly regarding Namibia, to put an end to South Africa’s illegal occupation of Namibia;”

7. In addition, I want to draw the particular attention of the members of the Council to document S/11579, which contains a draft resolution sponsored by Kenya, Mauritania and the United Republic of Cameroon. In the course of the consultations which we have had on this matter, the common wish was expressed that the Council proceed first to the vote on the draft resolution before hearing any statements.

8. Accordingly, unless any member particularly wishes to make a statement at this time, and if I hear no objection, it is my intention to put the draft resolution contained in document S/11579 to the vote at this stage.

A vote was taken by show of hands.

The draft resolution was adopted unanimously.¹

9. The PRESIDENT: The first speaker is the President of the United Nations Council for Namibia, Ambassador Jackson. I now call on him.

10. Mr. JACKSON (President of the United Nations Council for Namibia): Mr. President, it is a great privilege for me, as President of the United Nations Council for Namibia, to speak in this debate in the Security Council on the question of Namibia and I wish to thank the members of the Council for permitting me so to do. That I do so at a time when you, a distinguished son of Australia, sit as President for the month of December is indeed a great honour. For it is not without significance that you, whose wisdom, patience, tact and dedication are so well known, should at the very end of this term of Australia’s membership of the Security Council superintend its deliberations on so important a question.

11. Fourteen years ago, a former British Prime Minister, while on a visit to Cape Town, spoke apocalyptically of the “winds of change sweeping through Africa”. Indeed, for some time thereafter winds of change did sweep through Africa bringing to the vast majority of countries then under colonial domination independence

and membership of the United Nations. These developments raised hopes that colonialism would be speedily eradicated from that continent. These hopes are, however, yet to be realized. For a zone of colonialism based on myths of racial superiority and buttressed by the active support of some members of the international community became entrenched, particularly in southern Africa—a zone which provided, and continues to provide, an illusory *cordon sanitaire* for white supremacy.

12. For a time it appeared that the winds of change had lost their momentum. Those of us who yearned and laboured for freedom and who vigorously advocated a speedy end to colonialism engaged in a long vigil. One lesson history teaches us is that people under a colonial yoke will always rise up—the majority of them—against tyranny. And so it was—and so it is—in southern Africa.

13. As the Pretoria-Salisbury-Lisbon axis became consolidated, so did the liberation movements intensify their struggles for freedom, fired by the justice of their own cause and encouraged by the positive support they received here at the United Nations, as well as outside it, from the vast majority of the members of the international community.

14. The success of these combined efforts has led us to a situation where today we can realize those hopes, which some have frustrated, for the prospects for freedom throughout Africa. Guinea-Bissau now sits as a Member of the Organization. And in Mozambique, Angola, Sao Tome and Principe and Zimbabwe the pace of decolonization has visibly accelerated. Now, by a curious twist of history, those “winds of change” are blowing hard on the dominion of that unhappy country where—some may say, somewhat unexpectedly—Mr. Harold Macmillan spoke so prophetically.

15. Six weeks ago the Council undertook an historic debate on the future relationship between South Africa and the United Nations. The Council, as we are well aware, took no decision but remains seized of the matter. In the course of that debate South Africa’s reprehensible conduct in regard to the international Territory of Namibia was fully exposed. The brutally repressive measures, the systematic elimination of the most elementary political freedom, the complete denial of fundamental rights, the ruthless exploitation of the natural resources—in short, the sustained campaign of terror, intimidation and repression based on grotesque concepts of racism which characterize the behaviour of the Pretoria gang operating in Namibia were fully catalogued in the condemnation of South Africa which took place in this chamber in October. South Africa pursues this course of action in open, flagrant and perverse defiance of the Charter of the United Nations, of its resolutions and decisions, and of international law. This contemptuous conduct appals the conscience of the overwhelming majority of mankind.

16. The question of Namibia is one to which the United Nations has given prolonged and especial attention, and the long record of South Africa’s persistent defiance of all our efforts is clear for all to see.

¹ See resolution 366 (1974).

17. Since the establishment of the Council for Namibia, the Security Council has considered the question of Namibia on numerous occasions. As long ago as 1968, when resolution 246 (1968) was unanimously adopted, the Council called upon South Africa to take certain specific measures in relation to Namibia and decided

“... that in the event of failure on the part of the Government of South Africa to comply with the provisions of [that] resolution, the Security Council will meet immediately to determine effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations”.

18. In 1969, by resolution 264 (1969), the Security Council called upon South Africa “to withdraw immediately its administration from [that] Territory” and once again promised to meet immediately, in the event of non-compliance by South Africa with the provisions of the resolution. Later that year, by resolution 269 (1969), the Council condemned South Africa for its refusal to comply with the Council’s earlier resolution 264 (1969), and reiterated its call upon the Government of South Africa to withdraw its administration from Namibia immediately and in any case before 4 October 1969. The Council once again indicated its intention to meet immediately, if South Africa did not comply with the provisions of the resolution.

19. In January 1970, at its 1529th meeting, the Security Council took further decisions on Namibia [*resolution 276 (1970)*]. The Government of South Africa was strongly condemned for its refusal to comply with General Assembly and Security Council resolutions pertaining to Namibia: the continued presence of the South African authorities was again declared illegal; and the defiant attitude of the Government of South Africa towards the Council’s decisions was recognized as undermining the authority of the United Nations. Later that year, in July [*resolution 283 (1970)*], the Council noted with great concern the continued flagrant refusal of the Government of South Africa to comply with Security Council decisions demanding the immediate withdrawal of South Africa from the Territory, and the Council agreed to remain actively seized of the matter. At its 1550th meeting, the Security Council, in its resolution 284 (1970), submitted the following question to the International Court of Justice for an advisory opinion:

“What are the legal consequences for States of the continued presence of South Africa in Namibia, notwithstanding Security Council resolution 276 (1970)?”.

20. We are all aware of the terms of the advisory opinion given by the International Court of Justice on 21 June 1971² and of South Africa’s categorical and complete rejection of the Court’s findings. However, when the Security Council took up the matter in October 1971, it adopted resolution 301 (1971), which condemned all moves by the Government of South Africa designed to destroy the unity and territorial integrity of Namibia. It

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.

once again called upon South Africa to withdraw from the Territory, and declared that

“... any further refusal of the South African Government to withdraw from Namibia could create conditions detrimental to the maintenance of peace and security in the region”.

21. The question of Namibia next engaged the attention of the Security Council at its historic meetings at Addis Ababa in 1972. At those meetings, two resolutions, 309 (1972) and 310 (1972), were adopted. The first, *inter alia*, reaffirmed the national unity and territorial integrity of Namibia and invited the Secretary-General

“... to initiate ... contacts with all parties concerned, with a view to establishing the necessary conditions so as to enable the people of Namibia ... to exercise their right to self-determination and independence”.

22. In the second resolution, the Security Council once again strongly condemned the refusal of South Africa to comply with the resolutions of the General Assembly and Security Council pertaining to Namibia, declared again that the defiant attitude of South Africa towards the Council’s decisions was undermining the authority of the United Nations, reiterated its view that the continued occupation of Namibia by the Government of South Africa created conditions detrimental to the maintenance of peace and security in the region, once more called upon South Africa to withdraw from Namibia and, significantly, after a lapse of a few years, again declared that

“... in the event of failure on the part of the Government of South Africa to comply with the ... resolution, the Security Council shall meet immediately to decide upon effective steps or measures, in accordance with the relevant Chapters of the Charter, to secure the full and speedy implementation of the ... resolution”.

23. The results of the Secretary-General’s efforts are well known. As many anticipated, the dialogue with South Africa was a dialogue with the deaf. It was therefore not surprising that the Security Council on 11 December last year, on the basis of the Secretary-General’s report, decided by resolution 342 (1973) to discontinue the contacts which had earlier been initiated. This, then, is the first occasion within a year on which the Security Council has substantively considered the question of Namibia.

24. Three principal factors informed expectations of the outcome of the Council’s deliberations: the record of Security Council decisions over the years, the Council’s debates two months ago in so far as they related to Namibia and the recent developments in southern Africa.

25. I have endeavoured earlier to give a synopsis of Security Council decisions on Namibia from 1968 to 1973. I believe that the conclusion is inescapable that South Africa has contemptuously flouted the authority of the Council.

26. As a consequence, many analysing this record would assert that the Security Council should, now more

than ever, have taken those "effective steps or measures" about which it has spoken so often in the past. For they believe that South Africa must be compelled to implement the decisions of the Council, to acknowledge and respect the mandate of the Council for Namibia and to comply with the manifest wish of the General Assembly. The Foreign Minister of Guyana in addressing the General Assembly earlier this session³ reflected widely held sentiments in this regard when he stated that

"... the time is ripe for us, through the instrumentality of the Security Council, to take the further steps that may be necessary for ensuring that the illegal occupation of Namibia by South Africa is speedily and irrevocably terminated".

27. South Africa's defiant attitude towards the Security Council, the Council for Namibia and the General Assembly, indeed towards world public opinion, is a matter of public record. We must, however, recognize that when subjected to intense international pressure South Africa always counters with gimmickry. Let us remember that when the Council sought an advisory opinion from the International Court of Justice, South Africa proposed a referendum; when the International Court of Justice confirmed the illegality of South Africa's presence in Namibia, South Africa proposed discussions with the Secretary-General; when faced with the prospect of expulsion a mere two months ago, South Africa proposed sham constitutional discussions between so-called ethnic groups—one group, be it noted, strategically composed entirely of whites, irrespective of their national origins. Recently, spokesmen of the racists in South Africa have propagated, in their characteristically deceptive manner, the notion that the stage of self-determination for the Namibian people can be reached much sooner than 10 years, as they had earlier envisaged.

28. The record of South Africa's treatment of the people of Namibia for over 50 years, its contempt for the Council and for the views of the vast majority of the world's people is nothing short of what could aptly be called white-mail. The time has long passed for such contumacious practices to be brought to an end.

29. I believe that there are certain principles and positions on which all members of the Security Council are agreed. First and foremost is the inalienable and imprescriptible right of the people of Namibia to self-determination and independence and their right to proceed to that independence on the basis that Namibia is a territorial unit in and for itself. The second is that South Africa has no legal authority whatsoever to administer Namibia. Quite simply, South Africa's occupation of the Territory is illegal—or, as some would say, unlawful—and as such must be terminated. Indeed the withdrawal of the South African usurpers is long overdue. The third principle is that the United Nations has a direct responsibility for the administration of the Territory, a responsibility which has been entrusted to the Council for Namibia. The fourth principle is that the Security Council, as evidenced by its previous dispositions, has

acknowledged its own specific responsibility to assist in finding a solution to the question of Namibia.

30. However, while we acknowledge agreement on those principles we must be ready to go beyond a mere reaffirmation of them. In past debates on Namibia in the Council, the positions of certain permanent members have not always coincided with those of the majority. There has been no prior debate on this occasion, but I believe that it would not be inappropriate to consult the records with a view to situating the current postures on Namibia of those members who, during October, vetoed a proposal commanding majoritarian support. If my reading of the situation is correct—and the postures adopted today seem to give positive indication of that—then it is my hope that in the context of new and unfolding realities the Council, when it meets again to consider the question of Namibia, as it has decided to do, will, if necessary, arrive unanimously at a determination of the action which should be taken to bring to an end the truculent banditry which South Africa is perpetrating in Namibia.

31. The Charter provides for the application of measures, including those in Chapter VII, and it may have been timely for a signal to have been given that the Council will not be hesitant in employing them, if required.

32. There is much comment abroad about the disaffection and cynicism of peoples with regard to the United Nations. I believe that the quality of vigilance which the Security Council exercises on the question of Namibia can give the Council its chance to dispel those apprehensions. The people of Namibia—the people of the world—watch and wait.

33. The PRESIDENT: Before calling upon the next speaker, I wish to inform the Council that letters have now been addressed to the President by the representatives of Upper Volta and Nigeria. Those letters contain requests to be invited to participate in the discussion of the question on the agenda, in accordance with rule 37 of the provisional rules of procedure. In accordance with the usual practice, I propose, with the assent of the Council, to invite those representatives to participate in the discussion without the right to vote. In view of the limited number of places available at the Council table, I request the representatives to take the seats reserved for them at the side of the Council chamber, on the understanding that they will be invited to take places at the Council table when it is their turn to speak.

At the invitation of the President, Mr. Yao (Upper Volta) and Mr. Ogbu (Nigeria) took the places reserved for them at the side of the Council chamber.

34. The PRESIDENT: The representative of Upper Volta is the next speaker and I now invite him to take a place at the Council table and to make his statement.

35. Mr. YAO (Upper Volta) (*interpretation from French*): By an accident of automatic alphabetical order, to borrow a term now current in the United Nations, I have the honour of speaking here on behalf of the Group

³ Official Records of the General Assembly, Twenty-ninth Session, Plenary Meetings, 2249th meeting.

of African States. The Group has instructed me first of all, Mr. President, to express our deep gratitude to you and, through your kind agency, to all members of the Council for authorizing me to speak here on behalf of the African Group. Secondly, I should like to say how happy we are to see you presiding over the Security Council. Your personal talents, your long experience of international affairs and the enlightened position taken by your country on questions relating to southern Africa will be of the utmost usefulness to us all in the debate now opening on the question of Namibia, or, more particularly, the problem of the illegal occupation of Namibia by South Africa.

36. This problem is certainly not new to the members of the Council. Indeed, in certain respects it is even older than the Council itself. But we have no intention of drawing the Council into the tortuous byways of the unhappy history of this question, though there may be some need to make certain brief historical references.

37. The question the Council is about to debate is, indeed, clear-cut. On 13 December last, the General Assembly adopted resolution 3295 (XXIX), on the question of Namibia. Section II of that resolution reads as follows:

“Urges the Security Council to convene urgently in order to take without delay effective measures, in accordance with the relevant Chapters of the Charter of the United Nations and with resolutions of the Security Council and of the General Assembly regarding Namibia, to put an end to South Africa’s illegal occupation of Namibia”.

In brief, the Council must now seek ways and means of putting an end to the illegal occupation of Namibia by South Africa.

38. As all members of the Council will recall, that illegal occupation has now been going on for more than eight years. It was on 27 October 1966 that the General Assembly, by its resolution 2145 (XXI), terminated the South African Mandate over the Territory of Namibia, which henceforward came under the direct responsibility of the Organization. That decision was not taken lightly. The South African Mandate over Namibia, which at that time was known as South West Africa, lasted 46 years, from 1920 until 1966. From the beginning of that period, South Africa administered the Territory in flagrant contradiction of the principles and objectives of the Mandate, which made the achievement of the well-being and development of the population of the Territory a “sacred civilizing mission”, to use the language of the time.

39. Notwithstanding the criticism and condemnation of the international community, discriminatory rules were applied and annexationist inclinations were given free rein. Although one of the founders of the Organization, South Africa refused to recognize the authority of the United Nations over the Territory and refused to place that Territory under United Nations trusteeship; still more, it simply ignored all the purposes and principles of the Trusteeship System as established by the Charter, of which it was one of the original signatories. From the date

of the entry into force of the Charter until 1966—that is, a period of 20 years—the minority racist régime of South Africa administered the Territory of South West Africa in continuing violation of Articles 73, 74 and 76 of the Charter and the Universal Declaration of Human Rights.

40. Throughout that period the United Nations spared no effort to bring South Africa to reason. Resolutions, special committees, missions, negotiations, the advisory opinion of the International Court of Justice—nothing helped. Everything ran into a wall of arrogance and contempt. With cruel obstinacy, and taking advantage of the fundamental weakness of the Organization—the absence of any real enforcement machinery—or, quite simply, because it was aware of the reluctance of the most influential States to have recourse to the provisions of Chapter VII of the Charter, South Africa brought the Territory under the dreadful shadow of *apartheid*. Various attempts were made to annex all or at least part of the Territory. So far as concerned the inhabitants of the Territory, whose material and moral well-being and social progress represented a “sacred mission” for the Government of South Africa, repression and exploitation was their daily lot.

41. It was in view of that state of affairs that the General Assembly in 1966 took the historic decision to terminate South Africa’s Mandate over South West Africa, which it brought under the direct authority of the Organization. That decision was confirmed by the International Court of Justice in its advisory opinion of 21 June 1971, according to which South Africa was obliged to withdraw from Namibia.

42. That decision of the General Assembly, also contemptuously rejected by South Africa, was followed by other efforts by the Organization to bring about a peaceful transfer of power to the people of South West Africa through the United Nations Council for South West Africa—which in 1968 became the United Nations Council for Namibia—and thereby to put an end to the South African administration of the Territory.

43. In its report to the General Assembly at its twenty-ninth session, the Council for Namibia says that:

“Since the General Assembly, by its resolution 2145 (XXI) of 27 October 1966, terminated South Africa’s right to administer Namibia, and decided that the United Nations should assume thereafter direct responsibility for the country, no less than 37 resolutions on the question of Namibia have been adopted by the General Assembly and the Security Council.”⁴

44. All the appeals addressed to South Africa in those resolutions have remained dead letters. By reason of the intransigence and bad faith of the South African authorities, the mission entrusted to the Secretary-General under resolution 309 (1972) of the Security Council has been thwarted. In 1973 [resolution 342 (1973)], the Council decided to make no further efforts on the basis of that resolution. Thus it has become more and more obvious

⁴ *Ibid.*, Twenty-ninth Session, Supplement No. 24, vol. I, para. 196.

that, despite the efforts of the Organization to bring about a peaceful solution, the policies of South Africa towards Namibia have not developed in any direction that would be conducive to settlement with the Organization or that would be in conformity with the purposes and principles of the Trusteeship System.

45. Each day that dawns in Namibia is another day of suffering for the Namibian people. The over-all political situation is deteriorating from day to day. The racist minority régime of Pretoria is applying its shameful policy of *apartheid* with the utmost rigour on the basis of a body of legislation which is the very negation of the Universal Declaration of Human Rights. The Sabotage Act, the Terrorism Act, the Immorality Act and so on, as well as the pass system, represent the main pretexts for mass and arbitrary arrests and for scandalous travesties of the political process.

46. The minority racist régime has even carried barbarism to the point of inflicting such degrading treatment as public whipping. Torture and humiliation of every kind is the current practice in the prisons. Under the over-all system of repression, even church and press figures are not spared. Hounded, persecuted and exploited in their own country, which is given over to foreigners, many Namibians have been forced into exile. Furthermore, notwithstanding the many resolutions adopted on the subject, South Africa is attempting to fragment the Territory into various "homelands", in the hope of breaking the unitary and nationalist spirit that strives to create a free and united Namibia. The greater part of the Territory—and also the richer part—has been reserved for the whites, whereas blacks and other Coloured people, who represent the vast majority of the population, are confined in arid homelands and condemned to languish wretchedly in a subsistence economy.

47. I could continue at great length describing in these terms the inhuman conditions in which the people of Namibia are constrained to eke out their existence; but that would be an otiose exercise, since all members of the Council are certainly aware of the facts. There is no shortage of documents on the subject. I might mention, in particular, the excellent reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the reports of the United Nations Council for Namibia. Eyewitness reports also are not wanting; a number of petitioners have described in minute detail the daily life of the Namibians. Better yet, the valiant freedom fighters of SWAPO have repeatedly addressed the Members of the Organization in various organs of the United Nations. The stubborn resistance of the Namibian people, organized and mobilized by SWAPO, is one of the outstanding features of the situation. The African Group wishes once again, through me, to hail the heroic struggle of the Namibian people, led by SWAPO, the authentic representative of the aspirations of the people.

48. The African Group did not come here today to start arguments or to engage in controversy. In requesting this meeting of the Security Council on the question of

Namibia, our only hope was that the Council, in its wisdom, could take measures to defuse the explosive situation prevailing in Namibia. Our group has been frequently accused of intransigence, even of being unrealistic. But we do not come here to ask the impossible of the Council: what we ask is that the Council bring its influence to bear—and particularly the influence of those of its permanent members that have certain relations with the South African régime—to impel South Africa to withdraw from Namibia.

49. A solemn commitment on the part of South Africa on this point would be particularly encouraging. In order to create a propitious atmosphere for negotiations and to ease people's minds, certain transitional measures need to be taken right away by the illegal South African régime, such as the freeing of political prisoners, the abolition of the laws and practices of *apartheid* and the return of exiles to their homes.

50. The situation in southern Africa is changing rapidly. The new Portugal has renounced its blind policies of earlier years and courageously committed itself to decolonization, to the great satisfaction of the entire international community, and particularly of the African States. The news from Zimbabwe holds out hopes of new and important changes in the near future. In this atmosphere of renewed hope, South Africa's challenge to the Organization cannot be left unanswered indefinitely: the United Nations must throw its full weight into the scales to tilt the balance in favour of freedom and justice. In so doing, it will have helped to avoid further unnecessary bloodshed. The Council faces the famous dilemma of the olive branch and the gun. Our heads of State, at Mogadiscio, charged us to call on the Council to find ways of bringing South Africa back to the path of reason. Otherwise, no one will be able to predict where the outbreak of violence in that region will lead us.

51. We do not doubt that the Security Council, on which the principal responsibility for the maintenance of peace devolves, will take the necessary measures to spare present and future generations in southern Africa, and, above all, those of Namibia, from the scourge of war.

52. The PRESIDENT: The next speaker is the representative of Nigeria, whom I now invite to take a place at the Council table and to make his statement.

53. Mr. OGBU (Nigeria): Mr. President, you are presiding over a meeting which, in the opinion of my delegation, is a momentous one. We observe that the draft resolution that the Council was to consider has been unanimously adopted, with the speeches following, an indication that the Council is indeed seized of this problem and is anxious, under your presidency, to make a positive contribution towards the cause of settling the situation in Namibia. Your experience in international affairs is well known, and the commitment of your country and Government to the cause of freedom will now be very much appreciated and welcomed.

54. The Security Council is meeting again to consider the situation in Namibia. As the United Nations looks

forward to the attainment of self-government and independence by all the Territories placed under mandate after the First World War, the problem of Namibia remains unresolved.

55. South Africa, which obtained the Mandate after a solemn undertaking to promote the well-being of its inhabitants, has flagrantly violated its obligations, and has continued its illegal occupation even after the Mandate was terminated by the international community. It continues its manoeuvres to dismember the Territory and to dispose of it according to its *apartheid* ideology and the interests of the white minority it represents.

56. The United Nations, which has taken over the responsibility for the people of Namibia, has a sacred duty to enable them to achieve self-determination and independence without any compromises and without any further delays. This matter must occupy the utmost attention of the General Assembly and the Security Council, as well as of all Member States loyal to the principles of the Charter.

57. As a first step, in the opinion of my delegation, the Security Council should take effective measures, as requested by the General Assembly, to put an end to South Africa's illegal occupation of Namibia so that the United Nations can assist the people of Namibia to exercise their right to self-determination and independence.

58. More than a year ago, the Security Council discussed the situation in Namibia in the light of the reports of the Secretary-General on the results of his efforts, under a mandate from the Security Council, to find means to establish

“... the necessary conditions so as to enable the people of Namibia, freely and with strict regard to the principle of human equality, to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations” [*resolution 309 (1972)*].

59. The contacts by the Secretary-General with the South African régime in 1972 to 1973 showed clearly that the South African régime was not prepared to respond positively to the conciliatory approach by the United Nations. They showed that the South African régime was not prepared to accept the basic principles laid down by the Security Council for a solution of the situation. Instead, that régime attempted to use the contacts to deceive the world and consolidate *apartheid* in Namibia. It proceeded with the establishment of bantustans and the forcible removal of people so as to destroy the unity of Namibia. Contrary to the assurances it gave to the Secretary-General and his representatives, it proceeded to institute brutal repression against all those who demanded the withdrawal of the South African administration and the right to self-determination and independence for Namibia as a whole.

60. As a result, the Security Council decided unanimously, in resolution 342 (1973) of 11 December 1973, to discontinue the mandate of the Secretary-General under resolution 309 (1972) and requested him to keep the Security Council

fully informed of any new developments concerning the question of Namibia.

61. In its various resolutions, the United Nations has clearly laid down the basis for a solution of the problem of Namibia. These are:

—First, the continued presence of South Africa in Namibia is illegal and South Africa is under an obligation to withdraw its administration from Namibia immediately and thus put an end to its illegal occupation of the Territory. There can be no question of the South African régime determining the means for the exercise by the Namibian people of their right to self-determination and independence.

—Secondly, the right of the people of Namibia to self-determination and independence is inalienable and imprescriptible. They must be enabled 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 and under the auspices of the United Nations.

—Thirdly, the principle of the national unity and territorial integrity of Namibia cannot be subject to any conditions. The establishment of bantustans and the forcible removal of Namibian people from their homes must stop. In the past year since the adoption of resolution 342 (1973), the South African régime has shown no willingness to abide by these principles or any positive sign that it intends to do so.

62. The South African representative, in his statement of 24 October before the Security Council, during the discussion of the relationship between the United Nations and South Africa [*1800th meeting*], tried again to mislead the Council. Let me say that we take note of the declaration that the South African régime recognizes that the Territory has a distinct international status, that it has no designs on the Territory and that it is for the inhabitants of the Territory themselves to decide their own future. I must hasten to add, however, in this connexion, that we deny that the South African régime has any right to decide that Namibia is not one nation but consists of many peoples according to the convenience and the whims of that régime. We must condemn any attempt by that régime to divide the Territory and its people.

63. Mr. Botha went on to say that those who have left the Territory may return to participate in elections and discussions provided they do so in peace, and that they may propagate any constitutional changes they like within the requirements of “law and order”. We know very well what kind of elections the South African régime has in mind and what kind of “law and order” it seeks to maintain.

64. In flagrant defiance of the United Nations, that régime is again planning elections in the bantustan of Ovamboland—where the last elections were boycotted by 98.4 per cent of the people. It continues to enforce repressive legislation which denies all freedom to the Namibians: including the notorious Suppression of Communism Act and the Terrorism Act, as well as the emergency regulations. No one can even hold a meeting without the permission of the authorities. Hundreds of people have only recently fle

from the Territory because of the floggings, the torture and the detentions.

65. Under such conditions, the South African régime seeks to hold elections for seats in a so-called legislative assembly which hardly has any powers, set up in a bantustan created to divide the Territory. South African officials have even made it clear that they intend to dismember the Territory after these so-called elections.

66. Mr. Botha complained that South Africa was expected by certain United Nations Members to do all the compromising without the United Nations conceding anything. That statement shows the present mentality of the South African régime. It seems unable to appreciate that the rights of the Namibian people are inalienable and that there can be no deals on these rights.

67. The South African régime has violated the sacred trust placed in it by the world. It now wants the United Nations to betray the sacred trust it has assumed.

68. We should like to emphasize that the United Nations can discuss the modalities of enabling the Namibians to achieve their rights—within the context of the advisory opinion of the International Court of Justice—but it can never and should never concede on the principles. It can never allow the South African régime to supervise the exercise of the right of self-determination by the people of Namibia, who have been so long oppressed by South Africa, in violation of its sacred obligation.

69. The developments inside Namibia during the past year, as reported by the United Nations Council for Namibia and the Special Committee on decolonization,⁵ belie the efforts of the South African régime to mislead the world. It was only a few months ago, in June 1974, that it announced that it had sent its army to the Caprivi Strip in defiance of the world. It has resorted to an intensification of repression in Namibia so that hundreds of people have fled from the Territory. It has taken no steps to stop the brutal flogging of the leaders of the people under orders from the puppet chiefs, in spite of the horror and indignation expressed by the world community.

70. A number of leaders of SWAPO and its Youth League have been detained and kept in solitary confinement for many months. Several have been sentenced to long terms of imprisonment for demanding the implementation of United Nations resolutions. One of them, Mr. Komati, a 22-year-old youth, was detained for 132 days in solitary confinement with no charges and then accused of scratching political slogans on the wall of his prison cell with a spoon.

71. Instead of signs of conciliation, there has been an increase in the number of political prisoners, and in the persecution of all those who seek genuine freedom for Namibia. We are gravely concerned over reports that some prisoners are seriously ill. I made an appeal in the plenary

General Assembly yesterday in this connexion⁶ and I should like to repeat it here today.

72. In our view, the Council has no choice but to demand that South Africa withdraw from Namibia, and to institute appropriate measures under the Charter to oblige it to do so. These measures are clearly indicated in the past resolutions of the Security Council and the recent resolution of the General Assembly on this subject [*resolution 3295 (XXIX)*]. We hope that all Member States will lend their full co-operation in implementing such measures.

73. We should like to make a special appeal to the three permanent members of the Security Council and to other countries which have continued and maintained relations with the South African régime to co-operate in this respect. They have indeed a special responsibility. It is because of their past collaboration that the South African régime has been able to resist and defy the United Nations, to oppress the people of Namibia and to exploit the resources of the Territory. We ask them to cease such collaboration and to exert all their influence in the interests not only of the Namibian people but of the United Nations itself.

74. The PRESIDENT: Members of the Council will recall that at the beginning of our meeting we decided, in accordance with the request made by the representatives of Kenya, Mauritania and the United Republic of Cameroon, to extend an invitation, under rule 39 of the provisional rules of procedure, to Mr. Mueshange. In accordance with that decision, I now invite Mr. Mueshange to take a place at the Council table and to make his statement.

75. Mr. MUESHANGE: Before I take up the item under consideration here, I should like very much, on behalf of our national movement and also on behalf of all the valiant people of Namibia, to convey to you, Sir, and through you to the members of the Council our sincere thanks for having been given this opportunity to address once again this august body of the United Nations.

76. The Security Council is seized once again of the problem of Namibia. Indeed, it is a tragic problem which has been before the United Nations for the last 28 years without any solution. With every passing day and year, this problem goes from bad to worse. Now, today, the situation in Namibia is most critical and constitutes, in our view, a threat not only to the well-being of all those in southern Africa but also to international peace and security.

77. For the last 28 years the tragic and brutal story of our beloved fatherland and the daily sufferings of our people has been brought repeatedly before various organs of the United Nations, including the Security Council. Yet, today, Namibia remains still the most exploited colony and our people the most oppressed and dehumanized in the whole world. This situation has been allowed to continue and deteriorate further because those who could lift their hearts and arms in defence of freedom and justice would not do so because they value economic profits more than human life. Thus, though many times concerns and apprehensions have

⁵ Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

⁶ *Official Records of the General Assembly, Twenty-ninth Session, Plenary Meetings, 2320th meeting.*

been expressed here and elsewhere by some prominent members of this very Council, nothing has been done concretely to remove Fascist colonialism and white supremacy from the soil of Namibia.

78. However, we have never asked for mercy or pity from the Organization or from anybody, for we know that the price of liberty is suffering, and often loss of human lives. We have long committed our people to use all means at our disposal to free ourselves, with support and assistance from the United Nations—but, if need be, by ourselves.

79. This time, as in the past, we appear before this august body to reaffirm our faith in the principles and philosophy of the Charter of the United Nations. We appear also to reaffirm ourselves—our inalienable rights to freedom, to life and to an independent political existence as one sovereign people, as masters in and over one united Namibia.

80. After many years of impassive confrontation and hostility between the forces of national liberation and the forces of colonialism and racism in southern Africa, supported and abetted by certain powerful members of NATO and others, there seems to be a prospect of forward changes in the field of decolonization in that region of the African continent. Recent events in the Portuguese-administered Territories resulting from the successful struggle of the liberation movements there have demonstrated conclusively that the march of the oppressed and colonized peoples towards freedom and independence is an inevitable and logical process of history. No amount of repression or tyranny can forever reverse this process.

81. It is therefore timely that the illegal régime of Pretoria in Namibia fully recognize this historic imperative: that Namibia shall be free, as Guinea-Bissau is and as Mozambique, Angola and others soon will be. We all desire a just and peaceful solution of the political problems in Namibia, but we do not want peace at any price. No. We shall continue to struggle to ensure that Namibia achieves freedom and independence as one country and as one people. On this we shall never compromise. It is for Vorster and his agents in Namibia to recognize this and desist at once from doing anything by design or default that will violate or destroy the territorial integrity and unity of Namibia as a nation.

82. At this point in time, I do not wish to recount the substance and details of the Namibian problem—the criminal repression and murder of our people under Vorster's illegal, brutal and tyrannical system. This we have already done in the past and recently here and elsewhere. This time, during this debate of the Security Council on Namibia, I seriously wonder aloud, in the light of the realistic response of the new Government of Portugal vis-à-vis Mozambique, Angola, Sao Tome and Principe and more recent developments in southern Africa, whether there is any basis for hope that the illegal régime of Vorster in Namibia is prepared to commit itself, at last, to accepting the resolutions and decisions of the General Assembly and of the Security Council as well as the advisory opinion of the International Court of Justice of 21 June 1971, all of which together form a basic

bill of indictment against South Africa in respect of Namibia and point the way for that régime to withdraw immediately from our country and hand over all power to the Namibian people through the United Nations. This will demonstrate sincerity, good will and indeed a correct attitude by the Vorster régime towards the Namibian problem and will pave the way for a genuine southern African détente, which would mean peace and harmony for all those who have made Namibia their home. What is unacceptable to us is the continued illegal occupation of our country and the white man's arrogant belief that he can perpetuate white supremacy in southern Africa. And here, South Africa is the bulwark of colonialism and racist reaction. It is in part for that reason that that régime stands today excluded by democratic majority vote from the current session of the General Assembly.

83. In this connexion, it is now up to Vorster to do right. The matter that the Security Council is still seized of—namely, the relationship between South Africa and the Organization—in our view involves three broad areas in which the Pretoria régime is obdurately defying international law and the authority of the United Nations. The first one is the obnoxious policy of *apartheid* itself which is brutally being imposed as a matter of law and policy by a racist minority upon the indigenous African majority. No change is in sight here. Secondly, there is South Africa's interference in Rhodesian affairs through its military presence there and otherwise through the breaking of economic and diplomatic sanctions imposed by the Council against the illegal régime in Rhodesia in 1968. Thirdly, and lastly, there is the continued illegal occupation of Namibia by South Africa, a country for which the United Nations has direct responsibility. In each one of these cases, and in others as well, it is the defiance of the Pretoria régime and the recalcitrance of certain members of the Council which exasperate the already strained relationship between Pretoria and the Organization.

84. Thus, while we jubilantly welcome the initiatives of the new Lisbon authorities in regard to Portuguese-administered Territories and look upon the recent positive developments in Zimbabwe favourably, and while we remain convinced that victory inevitably will be ours in Namibia as well, we regret the fact that the illegal régime of Pretoria still persists in disfiguring the territorial integrity and national unity of Namibia, notwithstanding appeals, recommendations, condemnations and warnings by the overwhelming democratic majority of the world. All these efforts appear to have fallen on deaf ears. It is said, "There is none so deaf as he who will not hear".

85. Mr. President and members of the Council, I am launching a serious appeal to you and particularly to those members of the Council who are listened to by Vorster and his cohorts to use your good offices to convince that criminal group to comply with and commit themselves to the resolutions and the decisions of the United Nations, including the advisory opinion of the International Court of Justice of June 1971. In the name of peace and justice, it may be necessary for the friends and allies of Pretoria to scream into the ears of the Vorster group, though this may be inconvenient for that group's eardrums. We still think it is better that way than the other way, which is to bring them to their

senses with the staccato of a machine gun. We too come here with an olive branch in one hand and a freedom-fighter's gun in the other. It is up to the Pretoria régime and its protectors to decide which one of these two objects will remain in our hands.

86. The cardinal objective of our struggle is not—is not, I repeat—to come to terms with colonialism and white supremacy and bantustans in Namibia; rather, it is to eradicate all this from our soil and to establish a new democratic society under majority rule where all, black or white, all Namibians, natural or naturalized, can contribute individually and collectively to the best of their abilities towards the general well-being and prosperity of a united Namibia.

87. We feel that if the racist leader of South Africa intends to convince black Africa and the world, he must first and foremost start by accepting his obligations under international law in respect of Namibia and in that context comply fully with all the relevant resolutions of the United Nations and the recommendations of the International Court of Justice of 21 June 1971. This means a commitment by that régime to withdraw from Namibia so that we, the people of Namibia, can attain freedom and independence as soon as possible. This is where Vorster must start, for Namibia is one place where he clearly has no business. We say so. The United Nations said so. And so did the international tribunal.

88. *The New York Times* of today's date carries an article in which Vorster is reported to have suggested "a plan to settle the prolonged Rhodesian crisis". If this means that Vorster has finally decided to disengage from Rhodesia so that the problem there can be solved by the people of the area, and so that a majority rule can be established, this would be a most welcome change. If, however, this is but another example of Vorster's double talk or a sinister scheme to confuse the situation in southern Africa, then, of course, this action must be exposed, condemned and rejected. Vorster must be told seriously and categorically that if he wishes for peace and co-operation with the rest of Africa he must openly table a plan to withdraw from Namibia and another plan for South Africa itself which will, in time, effect a majority rule there as well. Then South Africa might expect not only good will and generosity from the rest of Africa, and indeed from the world, but also perhaps acceptability at last.

89. Instead of fulfilling these obligations and recommendations regarding Namibia, the racist leader of South Africa is practising repression and brutality in Namibia on our people. Then he continues to utter warnings and threats against our people and black Africa, as he did recently in a broadcast on 5 November 1974, from which I quote: "We will not tolerate any threats of violence. Order must be and will be maintained in South West Africa". Now, who is using threats and violence? Is not the Vorster régime the one which is illegally occupying Namibia? Is it not Vorster and his agents in Namibia who are daily brutalizing, imprisoning and even murdering our people? Is it not Fascist South Africa which is violating the territorial integrity of the neighbouring African republics? Who is this group trying to fool? Not us, and we hope not this august body.

90. We firmly maintain that the illegal régime of Pretoria has no business in Namibia and must be compelled by the collective power of the international community to withdraw immediately from Namibia. In this connexion, we remain convinced that the powerful countries of the West should prevail over their friend and ally—South Africa—to come to terms with the demands of the Namibians and the overwhelming majority of the world.

91. In conclusion, Mr. President, we thank you and your colleagues once again for this opportunity to address the Council. It is significant that you, Sir, a distinguished representative of a new, progressive and dynamic Government and country, Australia, are presiding over this debate. You are an old hand in diplomacy and international affairs. We trust that your experience and personal commitment to the principles of the Charter of the United Nations will ensure that justice is finally done with regard to Namibia and the Namibians.

92. The PRESIDENT: The next speaker is the representative of Morocco, and I now invite him to take a seat at the Council table and to make his statement.

93. Mr. ZAÏMI (Morocco) (*interpretation from French*): Ambassador Slaoui, representative of Morocco, had intended to participate in this debate in person, but he had to return to Rabat for urgent consultations and he has asked me to read out the statement he had prepared.

94. My delegation, which is addressing the Council today on behalf of the Group of Arab States and of the Kingdom of Morocco, would like first of all to express to you, Sir, and to the members of the Council our deep gratitude for having allowed us to participate in this debate on the crucial problem of Namibia.

95. Twenty-nine years have elapsed since the United Nations began to concern itself with this problem. In that time it has never recorded any true progress, that is to say that the Organization has not succeeded in obtaining from the Government of South Africa which illegally occupies the Territory of Namibia the slightest commitment regarding the evacuation of the Territory. The question of Namibia is, therefore, nothing new and it is not my intention to dwell at length on its various aspects. Nonetheless, it may not be amiss on my part to recall briefly certain facts which may serve as points of departure.

96. I should like to remind the Council, for example, that at the very first session of the General Assembly the Government of South Africa went so far as to dare to call for the integration of Namibia into its own territory. This fact in itself is implicit but clear recognition of United Nations competence in the matter. But this surprising request was rejected by the General Assembly, and rightly so, and South Africa was invited to transfer its Mandate over Namibia to the Organization. All peaceful means were invoked, but in vain, in our attempt to reach a solution with the Government of South Africa that would allow the people of Namibia to exercise its right to self-determination and independence.

97. As long ago as its twenty-first session, the General Assembly put an end to South Africa's Mandate and placed the Territory under the direct responsibility of the United Nations. The United Nations Council for Namibia, which was subsequently established, was entrusted with the administration of this Territory pending its accession to independence. The advisory opinion of the International Court of Justice handed down on 21 June 1971 confirmed the mandate of the Security Council and supported without reservations the justice of the decision taken by the General Assembly to put an end to South Africa's Mandate and to assume direct responsibility for Namibia until it had attained independence.

98. This brief historical review of this question that we are dealing with here today was essential if only to demonstrate that, despite all the efforts made over the decades by the Organization, and in particular, by the Security Council, South Africa has always rejected all co-operation with the United Nations to reach a solution that would enable the people of Namibia freely to exercise its right to self-determination and independence.

99. However, following upon the advisory opinion of the International Court of Justice, for the first time South Africa agreed that the Secretary-General should visit Namibia. That aroused a faint hope in all of us that we might finally see South Africa engaged in a dialogue with the United Nations on the question. We thought, though not without reservations, that the opening of the door to dialogue might lead to a change in the attitude of the Pretorian régime; but that glimmer of hope, that illusion, was short-lived. The conversations which the Secretary-General and his representative had with South Africa were broken off very abruptly, and on 11 December 1973 the Security Council was compelled to adopt resolution 342 (1973) whereby it decided not to pursue further efforts on the basis of resolution 309 (1972).

100. South Africa alone bears the responsibility for this situation because once again it has demonstrated evident bad faith. It was clear, in fact, that the racist régime of Pretoria had used contacts with the United Nations for internal political purposes in order to try to emerge from its isolation and to advertise its own idea of self-determination, a concept that has as its goal the domination of the Namibian people and the perpetuation of the unlawful occupation of the international Territory of Namibia.

101. Although contacts with South Africa have not lived up to our expectations, the fact nonetheless remains that the mission of our Secretary-General and his representative to Namibia made it possible to clear up certain doubts. On the one hand, it demonstrated, as has already been emphasized, that the policy of South Africa remained unchanged and that this racist régime intended to maintain the Namibian people under its domination; on the other hand, that same mission had the merit of demonstrating to those who were still in doubt that the Namibian people, one and indivisible, had expressed its firm determination to exercise its right to self-determination and independence in a united Namibia.

102. The arrogant attitude of the Pretorian régime was expressed once again quite recently in the statement of the

representative of South Africa when he addressed the Security Council. That representative confirmed in particular information to the effect that his Government supported the proposal of the white National Party regarding possible negotiations on a multiracial basis between the "peoples" of Namibia on the subject of the constitutional future of the Territory.

103. As SWAPO has emphasized in a letter dated 26 September last, addressed to the President of the United Nations Council for Namibia, this was "a well-calculated and deliberate political manoeuvre aimed at misleading world public opinion".

104. Moreover, in his statement to the Security Council [1800th meeting], the representative of the racist régime of Pretoria added:

"The administration of the Territory has been directed towards achieving the greatest good for the greatest number of the Territory's peoples. And they are exceedingly disparate as to their cultures and development.

"...

"It is not for South Africa nor for the United Nations but for the peoples of the Territory themselves to decide upon their political future. And all options are open to them in this regard."

We are confronted here with a fallacious and hypocritical statement. The reference made to the diversity of cultures and social levels is to us confirmation of the stubborn determination of the racist régime of Pretoria in pursuit of its policy of fragmentation, called "bantustanization".

105. During this period the situation in Namibia has steadily deteriorated, as is emphasized by the Secretary-General in the introduction to his report to the General Assembly.⁷ The tragic fate in which the Namibian people finds itself is described in a report prepared by the Special Committee,⁵ which notes that "during the past year . . . there has been an escalation of police terror and intimidation of Namibians both by the illegal régime of South Africa and by the authorities of the so-called 'homelands'".⁸

106. In their respective reports, the Special Committee and the United Nations Council for Namibia denounce all measures of repression, whose victims are the people of Namibia, the Territory where the illegal régime of Pretoria is pursuing its illegal policy of *apartheid* and "bantustanization".

107. In the face of such pitiless repression and in view of the illegal occupation by South Africa of an international Territory—which constitutes a typical act of aggression—the Security Council is duty bound to find the means to put an end to that situation, particularly since the United Nations has assumed responsibility for the defence of the Namibian people and the future of this international Territory. Some would like to have us believe that the Organization is powerless in the face of such a situation. For our part,

⁷ *Ibid.*, Twenty-ninth Session, Supplement No. 1A, p. 6.

⁸ *Ibid.*, Supplement No. 23, chap. IX, para. 11.

we believe that, confronted by the illegal occupation of an international Territory and an act of aggression, the Organization, and in particular the Security Council, should undertake effective action by appropriate means. The unlawful occupation of this international Territory by South Africa constitutes a threat to peace and a typical act of aggression, and thus the Council is duty bound, in accordance with the relevant provisions of the Charter, to take appropriate measures to put an end to this serious situation.

108. The Arab peoples who themselves are the victims of Zionist occupation can only, out of justice, manifest their full solidarity with the valiant Namibian people, which is carrying on a legitimate struggle against the racist South African occupiers. Here, we would like to assure this heroic people and its authentic leaders of our active and continuing support.

109. It should also be emphasized that the collaboration of certain Powers, in various areas, with South Africa, and foreign investments in Namibia, are harmful to the cause of the Namibian people and constitute a source of encouragement to the racist régime to flout the resolutions of our Organization. As was pointed out some time ago in *Foreign Affairs Magazine*, "the role of international investments has consolidated the programme of the National Party with a view to maintaining white domination".

110. Accordingly, we should like to appeal to those Powers to put an end to all co-operation with the Pretoria régime and to exercise pressure on the companies under their authority in order to compel them to cease investing in Namibia and exhausting the natural resources of that Territory.

111. We are convinced that the Council, which has assumed responsibility for the future of Namibia and the defence of the people of that Territory, will be able, in accordance with the relevant provisions of the Charter, to find effective means for putting an end to South Africa's challenge to the Organization and to regain the international Territory of Namibia. We would like to believe that the members of the Council—all its members—will know how to shoulder their responsibilities in order to put an end to the serious situation prevailing in Namibia, which constitutes a serious threat to international peace.

112. The PRESIDENT: I wish to inform the Council that I have just received a letter from the representative of Somalia requesting that Somalia be invited to participate in our discussion, in accordance with the relevant provisions of the Charter. If I hear no objection, I shall take it that the Council wishes to grant that request and shall accordingly invite the representative of Somalia to participate in our discussion without the right to vote.

At the invitation of the President, Mr. Hussein (Somalia) took a place at the Council table.

113. The PRESIDENT: I now call on the representative of Somalia.

114. Mr. HUSSEIN (Somalia): Mr. President, permit me first of all to express to you, on behalf of the Chairman of the

Organization of African Unity for the current year and on behalf of my delegation, our most sincere congratulations on your assumption of the high office of President of the Security Council for the month of December.

115. I am most grateful to you and to the members of the Council for this opportunity to address the Council on the question of Namibia. This question was given particular attention at the summit conference of the Organization of African Unity held in June this year because the African States are acutely conscious of the fact that the situation with regard to that Territory has reached a critical stage. The situation is critical because no one can pretend any longer that South Africa needs more time in which to comply with the United Nations resolutions on Namibia. The African heads of State took the realistic view—and this is reflected in the important resolution on Namibia adopted by the summit conference—that the Security Council must be prepared to implement its decisions on Namibia, if necessary through the enforcement measures provided under Chapter VII of the Charter.

116. It is nine years since the General Assembly terminated South Africa's Mandate over South West Africa—a decision which has been repeatedly endorsed and reaffirmed by the Security Council. It is four years since the International Court of Justice gave its advisory opinion that South Africa's continued presence in Namibia constituted an illegal occupation of the Territory, and during these years the main organs of the United Nations have repeatedly condemned this illegal occupation and called on South Africa to withdraw from the Territory.

117. For two years the Secretary-General, at the request of the Security Council, made a special effort to find common ground with the Pretoria régime for the implementation of the United Nations decisions on Namibia, but, as we know, even the superficial changes that were promised have not been forthcoming. Indeed, far from moving towards the establishment of a just and free society, the régime has tightened its oppressive hold on the Namibian people. The South African Government has continued to carry out its plan to keep the Namibian people politically handicapped and permanently cheated of their natural resources through the imposition of bantustans—an arrangement long condemned by the United Nations as being fundamentally inequitable—political repression has become more brutal and the uniquely inhuman racism of *apartheid* is continued in violation of the human rights of the people of the Territory.

118. It is obvious that the hope of achieving progress through reasoned discussion and peaceful negotiation was an illusion. Also illusory was the hope that the NATO Powers on the Security Council would demonstrate in practical ways the support for United Nations decisions on Namibia which they have expressed in theory. Their nationals continue with impunity to exploit and plunder the resources of the land and people of Namibia; the arms embargo, which was recognized by the Security Council as having significance for the question of Namibia, is flagrantly and continuously violated, and the recent triple veto of the proposal to expel South Africa for its repeated

violations of human rights and of the principles and purposes of the Charter was a blow to the cause of freedom in Namibia.

119. Fortunately there are other movements and influences in southern Africa besides those motivated by commercial and narrowly conceived strategic interests. The success of the liberation struggle in the Portuguese-administered Territories is evidence of the determination and ability of peoples fighting for their right to self-determination and independence. The forward-looking policy of the new Government in Portugal is a good indication of the direction of the winds of change now blowing through southern Africa. The United Nations, with its special responsibility for the liberation of Namibia, must not fail to use all its moral authority and all the practical measures at its command so that the advantage gained by reason of recent events in southern Africa can be pressed home and the inevitable and historic process of decolonization be speedily completed.

120. The course of action open to the world community is clear. In order to give effect to its decisions on Namibia, the Security Council must demand from South Africa, once and for all, a clear and unequivocal commitment to a speedy withdrawal from Namibia. It must demand, too, that immediate steps be taken to end political repression, policies of racial discrimination and efforts to destroy the national unity and territorial integrity of Namibia.

121. During the historic debate in October 1966 which led to the termination of South Africa's Mandate, the Somali representative warned, even then, that the United Nations would have to be prepared to take all steps

needed to implement its decisions, including if necessary the use of the enforcement measures provided for in Chapter VII of the Charter. While it must be hoped that the South African Government will act in accordance with its responsibilities, the experience not only of the past 9 but of the past 29 years leaves little ground for hope that the South African Government will follow the path of reason, justice and reconciliation.

122. If it continues in its intransigence and its contempt for the Organization, then the Security Council will be faced with the inescapable duty of resorting to those means which it is entitled to use under the Charter. It must enforce its decisions in the interests of international peace and security and for the preservation of its authority and credibility, for it cannot be denied that South Africa's illegal occupation of Namibia, in defiance of the United Nations and of the International Court of Justice, is an act of international aggression. Primary responsibility for ending this situation rests with the Security Council. If the Council were to remain impassive in the face of South Africa's open defiance, then it would be tantamount to the abandonment of the world Organization's collective responsibility for the Territory and people of Namibia and a tacit endorsement of the continued usurpation of their land and rights by South Africa.

123. My delegation trusts that the Security Council will face up to its grave responsibilities with regard to Namibia, with regard to the preservation of the authority of the United Nations and with regard to the preservation of international peace and security.

The meeting rose at 1.05 p.m.