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THIRTIETH YEAR

1829th MEETING: 6 JUNE 1975

NEW YORK

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1829th MEETING

Held in New York on Friday, 6 June 1975, at 4 p.m.

President: Mr. Abdul Karim AL-SHAIKHLY (Iraq).

Present: The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1829)

1. Adoption of the agenda
2. The situation in Namibia

The meeting was called to order at 4.45 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia

1. The PRESIDENT: In accordance with the decisions taken by the Security Council at previous meetings, I now invite the representatives of Algeria, Bulgaria, Burundi, Cuba, Dahomey, the German Democratic Republic, Ghana, India, Liberia, Nigeria, Pakistan, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, United Arab Emirates, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber in order that they may participate in the current discussion without the right to vote. When any of them wishes to address the Council, he will of course be invited to take a place at the Council table.

At the invitation of the President, Mr. Fasla (Algeria), Mr. Ghelev (Bulgaria), Mr. Mikanagu (Burundi), Mr. Alarcón (Cuba), Mr. Adjibadé (Dahomey), Mr. Neugebauer (German Democratic Republic), Mr. Boaten (Ghana), Mr. Jaipal (India), Mr. Dennis (Liberia), Mr. Ogbu (Nigeria), Mr. Matin (Pakistan), Mr. Datcu (Romania), Mr. Baroody (Saudi Arabia), Mr. Djigo (Senegal), Mr. Blyden (Sierra Leone), Mr. Hussein (Somalia), Mr. Humaidan (United Arab Emirates), Mr. Petrić (Yugoslavia), and Mr. Mwaanga (Zambia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: In accordance with a further decision taken at the 1823rd meeting, I now invite the

delegation of the United Nations Council for Namibia to take places at the Council table.

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

3. The PRESIDENT: I wish to inform members of the Security Council that I have received a letter dated 5 June 1975 from the representatives of the United Republic of Cameroon and the United Republic of Tanzania [S/11712], which contains a request that the Security Council extend an invitation under rule 39 of the provisional rules of procedure to Mr. Abdul S. Minty of the Anti-Apartheid Movement, of London. If I hear no objection I shall take it that the Council agrees to extend the invitation under rule 39, as requested, to Mr. Minty. At the appropriate moment in the Council's proceedings, I shall invite Mr. Minty to make his statement.

It was so decided.

4. The PRESIDENT: I should like to draw the attention of members of the Council to a draft resolution which was submitted this morning by the delegations of Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania [S/11713].

5. Before calling on the first speaker, I should like to indicate that the seven speakers on the list include all those members of the Council who have not yet spoken in the current discussion. Accordingly, it would seem to me that the Council might find itself in a position to proceed to a vote this afternoon on the draft resolution. It is my hope that that suggestion will meet with the wishes of all the members of the Council. At the appropriate stage, therefore, I shall proceed, if there is no objection, to put the draft resolution to the vote.

6. Mr. RICHARD (United Kingdom): Mr. President, may I first congratulate you upon your assumption of the presidency of the Security Council. This is a debate of the utmost importance, and we are particularly glad that you, with your long experience as a diplomat, should be in the chair.

7. May I also say how glad my delegation was that the Minister for Foreign Affairs of Guyana was able

to preside over the opening of our debate on the question of Namibia last Friday [1823rd meeting]. In doing so he displayed the qualities that made him the unanimous choice of the members of the Commonwealth to perform the important and demanding task of Secretary-General of that body. As a fellow member of the Commonwealth we salute his appointment. We are glad that his long experience will henceforth be at the disposal of Commonwealth members to guide them through the challenging demands of the next few years. We are also glad that Mr. Jackson's knowledge of the problems of Namibia has been at our disposal during this debate.

8. In his speech the other day my good friend and colleague the representative of Saudi Arabia quoted from Shakespeare [1826th meeting, para. 123]. He urged us, in the words of Polonius in scene III of act I of *Hamlet*: "to thine own self be true, and it must follow, as the night the day, thou canst not then be false to any man."

9. I felt this at the time to be a singularly appropriate quotation, for Mr. Baroody is perhaps the Polonius of the United Nations. In Shakespeare's play that character was, after all, a man old in experience, wise in the ways of the world and much given to offering advice. But the other day, as Mr. Baroody was quoting those splendid lines I have just read out, I thought I remembered two other lines from the same speech. From my long-past school days I seemed to recall another piece of advice given at the same time by the same character to the same son. And indeed it was so. There appear in the same speech the following lines which I feel should be shared by the Council: "Look thou character. Give thy thoughts no tongue, ... Give every man thy ear, but few thy voice."

10. Much has happened in southern Africa since the Council met last December [1811th and 1812th meetings]. I cannot pretend that the situation in Rhodesia has developed as far and as fast as we should have liked. Yet, when we look back from today, it is, I think, striking to see how the pattern of events has changed. A little more than a year ago no one could have forecast the sudden and dramatic changes in Portugal and the events which have led to the impending and welcome independence of Mozambique and Angola. A few months ago no one could have forecast that the leaders of the main African political parties in Rhodesia would have been released from prison at long last—and high time too, may I say—or that they would now be holding talks, as equals, with the Smith régime. Rhodesia, we believe, is now set on a course from which there can be no drawing back. We welcome, once again, the constructive contribution that Rhodesia's African neighbours, and I include South Africa, have made in bringing together all the parties. My Government, for its part, will do all it can to promote peaceful change in Rhodesia, in co-operation with the countries

most closely concerned. For I share the view of the Minister for Foreign Affairs of Zambia [1823rd meeting] that the question on our agenda today, namely Namibia, is not one which can be considered in isolation, irrespective of what is going on elsewhere in southern Africa. A setback in Rhodesia cannot but affect the course of events in Namibia and, conversely, if we can make progress towards the free exercise by Namibians of their right to self-determination and independence, this in turn must have a helpful impact on the situation in Rhodesia.

11. May I recall the relevant paragraphs of the communiqué of the Heads of Government of all the countries of the Commonwealth when they met in Kingston a month ago. These read as follows:

"The Heads of Government were deeply concerned that South Africa continues to occupy Namibia illegally, in total disregard of the resolutions of the General Assembly and the Security Council and the Advisory Opinion of the International Court of Justice of June 1971,¹ and in defiance of world opinion. Reaffirming that the fragmentation of Namibia was unacceptable, they recalled the obligation of the international community to maintain the integrity of the Territory and the right of its people to self-determination and independence.

"The meeting looked forward to the time when the Government and people of Namibia might themselves be welcomed into the Commonwealth, if that was their wish".

12. We fully associated ourselves at Kingston with the views expressed in that communiqué. We believe that South Africa's occupation of Namibia is unlawful and that it should withdraw from the Territory. We believe that the Territory should not be split up into homelands in accordance with the policy of *apartheid*. That would be a division of their country, to which Namibians have never assented and indeed on which they have never even had an opportunity of making their views heard. We believe that the Territory's future should be decided by the freely expressed wish of all its inhabitants, and that they should be given the opportunity to express these wishes as soon as possible.

13. This in turn implies, in our view, a number of preconditions. First, it means that every political group in Namibia, including the South West Africa People's Organization (SWAPO), whatever the future structure of government it advocates, must be allowed to campaign for its views throughout the Territory, when it likes, where it likes, and to have full and unfettered freedom to carry out peaceful political activities. It means, secondly, that we think it right for the United Nations itself to be associated with the process of observing any popular expression of the views of the people of Namibia on their future,

whether through an election, a referendum or any other democratic form of consultation.

14. We are thus in entire agreement with the views expressed by the members of the Council and by all the distinguished statesmen who have intervened in this debate, concerning Namibia's right to self-determination and independence. We stop short, however, of suggesting what form of government the people of Namibia themselves should choose. It is up to the people themselves to decide and to declare what it is they want. But democratic elections require the necessary freedom within which they can take place. Otherwise, any form of popular consultation is meaningless and bound to be regarded with suspicion by the United Nations and by the Council. But once Namibians are truly free to decide upon their future, and once they have declared what they wish that future to be, we for our part—and we are sure the United Nations as a whole—will respect that choice.

15. It is impossible not to be profoundly disturbed by the present situation in Namibia. My Government has tried to promote peaceful and rapid—and I stress the word "rapid"—change in the Territory. The representative of France [1824th meeting, para. 86] has already referred to the *démarche* which the Governments of France, the United Kingdom and the United States of America made to the South African authorities on 22 April, in which they set out their views on Namibia and urged an early solution of the question. My own Government has also spoken to the South African Government in similar terms.

16. In the light of our attitude, we have therefore carefully considered the events which have taken place in Namibia since the Council met in December 1974. Within Namibia itself, we have the impression that fundamental change is in prospect but that so far there has been too little, it has been too late and, moreover, its direction is still unclear. The constitutional conference composed of representatives of Namibia's ethnic groups will shortly meet and no doubt will make recommendations about the Territory's future. We have, like other delegations, taken careful note of Mr. Vorster's statement that all options are open to Namibia, but we still have reservations about the conference's framework and about its purpose.

17. We have also tried to assess to what extent there has been a real change in Namibia's repressive internal legislation and administrative practices. It was said in Mr. Muller's letter [see S/11701] that on 9 April various proclamations long in force were repealed or amended because "they were obsolete or embodied unnecessary restrictive or what might be termed discriminatory aspects". This may be so, and indeed any change is, I suppose, welcome, but as far as we can judge the essential elements of the pass law system still remain in being, and any system that condemns

young men to live and work in compounds cut off from their families or which divides Namibians into those who have valid documents and those who do not is bound to create justified resentment and discontent. The consequences of such a system can be seen most recently in the shootings at Katutura.

18. As the Council knows, a study group was appointed by the all-white Executive Committee of South West Africa, with the support of the Legislative Assembly, to investigate "measures and practices standing in the way of the advancement of good relations between black and white" [*ibid.*]. According to press reports, that group has produced some interim recommendations which the Executive Committee has accepted on the removal of a number of discriminatory practices in Namibia. It again appears, however, that the essential elements of the influx-control laws will remain in being, though judgement must naturally be reserved until the full details are available. There are, of course, other rumours of impending change which have perhaps not yet come formally to the Council's attention. According to some reports, 450 officials in the local administration were briefed on 12 May to expect substantial alteration in the social and constitutional framework of the Territory, and a smaller group was then chosen to carry this message throughout Namibia. These may be matters of significance. At present, it is difficult to be certain one way or the other.

19. I do not deny that some changes may well take place in Namibia under the present *de facto* administration. But I do legitimately question whether, in the complete absence of any international observation of what is happening, the authorities there will embark upon the change that Namibians actually want—namely, granting them their right to decide their own future in their own way. Moreover, the recent statements of the South African authorities on the future of Namibia raise a number of questions to which, as yet, there are no clear answers.

20. The Council now has before it two statements of South African intentions [*ibid.*]. I am, of course, pleased that the South African Government decided to address a letter to the Secretary-General in response to Security Council resolution 366 (1974), but I must say that we had hoped for a much clearer indication of South African policy.

21. In the second paragraph of Mr. Muller's letter he said that all options were open to the peoples of South West Africa, including that of independence as one State, if that is what they should choose. That statement in his letter should presumably be read in conjunction with the passage in Mr. Vorster's speech at Windhoek on 20 May, when he said:

"... As far as the OAU is concerned, in principle and bearing in mind what I have already said, we have no quarrel with their points of view concerning

self-determination, independence and the maintenance of the territorial integrity of the Territory.”

But that phrase “territorial integrity” is itself susceptible of a number of interpretations. It could, for instance, simply mean that Namibia’s present frontiers should be regarded as inviolate, and perhaps Mr. Vorster clarified his Government’s views on this matter when, in the course of that same speech, he said, “We, that is to say South Africa, do not claim for ourselves one single inch of South West Africa’s soil”.

22. But the phrase “territorial integrity” can also mean—and most members of the Council would, I think, interpret it to mean—that Namibia should proceed to independence as one State and not be fragmented into a number of mini-States along ethnic lines.

23. Mr. Muller says that if Namibians freely choose independence as one State, then the South African Government will not interfere. Taking that assurance at its face value, we nevertheless believe that if Namibians are to be able to decide their future as they would wish, there have to be free elections, there has to be freedom for all political parties in Namibia to campaign for their own particular constitutional proposals, there has to be freedom of expression, and there has to be freedom of association. And, in the light of past history, there has to be some assurance that the elections, or the referendum, or whatever other method of consulting the Namibian people is eventually decided upon, should be conducted in a way that would satisfy international scrutiny. I should perhaps add that my own Government makes no secret of its preference for a single Namibian State, though it is of course content to leave this matter—as it should be left—to the wisdom of the people of Namibia themselves.

24. I turn next to the statement in the letter of the South African Minister for Foreign Affairs [*ibid.*] that:

“... Any political group in the Territory is free to campaign for and propagate any constitutional changes it likes and to participate without hindrance in any peaceable political activities, including the election of representatives to the proposed conference on the constitutional future of the Territory, provided only that they do so within the requirements of law and order.”

It seems to us that this point made by Mr. Muller in his letter is one of general application and it is not possible to confine it solely to the proposed constitutional conference. If so, we hope this promise is carried out and that all political parties in Namibia will be free to campaign for the policies in which they believe.

25. In a more obscure passage of his letter, Mr. Muller writes that South Africa will remain in and continue to

administer the Territory only as long as the inhabitants so wish. This is indeed a strange remark, for the inhabitants of Namibia have never been given the opportunity to tell the South African Government what they wish. We hope they will soon be permitted to do so, and when that happens we shall look to the South African Government to carry out its promise. The Government of an independent Namibia may or may not decide to maintain some continuing links of a practical nature with South Africa. That is up to them to decide in the light of their own best interests. What is fundamental, however, is that the principles of early independence for Namibia and of South African withdrawal from the Territory should be conceded from the start.

26. I come finally to what we regard as one of the most important elements in Mr. Muller’s letter and in Mr. Vorster’s speech, namely the South African Government’s offer of discussions on the future of Namibia with a representative of the Secretary-General, with the newly created Special Committee of the Organization of African Unity (OAU) and with the President of the Council for Namibia. We assume that any such discussions would be unconditional. They could not, for example, be confined merely to an examination of the present situation in Namibia—a sort of African visiting mission. The discussions, to be useful, would have to encompass the future constitutional and political development of Namibia itself.

27. We have therefore asked ourselves what the Council should now do in the light of a response to its resolution 366 (1974), a response that is at times ambiguous, at times obstinately at odds with the current of world opinion, but which at the same time does seem to offer certain hopes of making further progress. We believe that the Security Council should be firm, not unrealistic. Our aim is to exert effective pressure upon the South African Government to change its policies. We believe that this should be the aim of the Council too, and that the Council should avoid action that would weaken, not strengthen, its ability to influence events in Namibia. I do not claim for one moment that South Africa’s reply to resolution 366 (1974) was satisfactory. It was not. But that resolution, adopted unanimously in the Council, and the subsequent international pressure that followed it, has nevertheless brought about some movement, some recognition that there will have to be fundamental changes in Namibia. Our task is surely to push that door wider open.

28. Many delegations have mentioned other forms of pressure. I must make it clear that my Government does not regard the situation in Namibia as a threat to international peace and security, and that we will therefore oppose any resolution of the Council to that effect. We would equally oppose any attempt to prejudge now what action the Council should take if and when it reassembles to consider Namibia later this year.

29. At the same time, my Government will continue to maintain its own embargo on the export of arms to South Africa. The representative of Japan suggested [1827th meeting] that all Members of the United Nations might publicly declare their intention not to sell arms to South Africa. I am happy to do so now.

30. We are trying to build upon the realities of the situation. As the Minister for Foreign Affairs of Zambia remarked [1823rd meeting], the main stumbling block in Namibia is the South African presence, and no solution can be found until this external factor has been removed. The South African Government has now declared itself ready to hold talks with the Special Committee of the OAU, the President of the Council for Namibia and a representative of the Secretary-General. As I said earlier, we hope this offer is unconditional, though we cannot be sure.

31. The OAU, for its part, laid down certain preconditions for any contacts that its Special Committee might have with the South African Government, whether these preconditions, or at any rate the first two of them, have been entirely met by Mr. Muller's letter is, of course, for African States themselves to decide. But, like the representative of France and others who have spoken, we too consider that the time may have come for such contacts to take place, despite the wide gap that undoubtedly still exists between the two parties' respective positions. Let me try and dispel one or two doubts that may exist about the purpose of such discussions as we see them. We are not arguing in favour of talk for talk's sake. In our view, the purpose of engaging South Africa in discussions is to bring home directly to that country the full force of world opinion and the need for the rapid decolonization—I use that word deliberately—the decolonization of Namibia. We are not trying to assert that this is a purely African problem. Far from it. The ideas we have tried to develop this week envisage the association of some members of the Security Council with any such discussions. I do not think, however, that the power of African countries to influence South African policy should be underestimated, particularly at a time when the word *détente* is heard so often in that part of Africa. We, for our part, will continue to do all we can to urge the need for change upon South Africa, in whatever way seems to us likely to be most effective.

32. Members of the Council will know that some of us have this week been considering a draft resolution which would authorize renewed contacts with the South African Government, but point them in what we believe to be the correct direction right from the start. That resolution would have condemned South Africa's failure to comply satisfactorily with the terms of resolution 366 (1974). It would have condemned its illegal occupation of Namibia. It would have condemned its illegal application of racial discriminatory and repressive laws. That resolution would have demanded an end to the policy of Bantustans,

and South Africa's urgent withdrawal from the Territory. It would then have called upon South Africa to enter into early contact with a committee to be established by the Security Council for the purpose of working out procedures for moving forward peacefully to the early attainment of the independence of Namibia within a constitutional framework determined by the freely expressed choice of its inhabitants in conformity with the relevant resolutions and decisions of the United Nations, and in particular it would have established procedures for the free exercise by the people of Namibia of their right to determine their own future.

33. That draft resolution, had it found favour, would have declared that these procedures should include the holding of free elections at the earliest moment and, in any event, on a date to be decided in consultation with the committee to be established by the Council, such date to be announced not later than 1 July 1976, under the supervision of the United Nations, in which SWAPO should have the unimpeded right to participate on equal terms.

34. The contact committee which we envisaged might have consisted of representatives of States to be selected from among the members of the Council, together with the President of the Council for Namibia or a representative of his, and a representative of the Secretary-General. I say "might" because of course we were open to suggestions on its composition. Finally, the draft resolution would have envisaged a further meeting of the Council on or before 15 October of this year for the purpose of reviewing South Africa's compliance with its terms and, in the event of non-compliance, for the purpose of considering the whole range of measures available under the Charter which the Council might then be prepared to take.

35. I have only two comments to make on this proposal, which sadly proved unacceptable to other members of the Council. Had such a draft resolution been adopted by consensus, the whole weight of the Security Council would once again have been invoked against South Africa's continued occupation of Namibia. More important, the Council would have been able to record its general agreement on the way in which it hoped the situation would develop, namely towards free elections under United Nations supervision. The proposed contact committee would have had terms of reference to that effect, firm on essentials, but not so restrictive that the gap between its position and that of the South African Government would have been widened unnecessarily before discussions had even taken place.

36. I much regret that we could not all go forward on that basis. I believe—and I think I must say this to the Council—that we have lost a real opportunity, and at this moment I must say to the Council that I do not know when such an opportunity will occur again. I hope it will, and I must make it clear that

the proposals I have just mentioned are serious ones based on the firmly held convictions of my Government. In saying how sorry I am that it was not possible to reach agreement, I should at the same time like to thank all those with whom we have been discussing the terms of a resolution over the past week. We respect their views, even if we cannot wholly agree, and I hope that they in turn will respect ours. May I also say how much my delegation has welcomed the closeness of the consultations between the various parties and, indeed, the spirit in which those consultations were conducted. Next time, perhaps, our joint efforts will be crowned with more success.

37. But this is not the end of the story and the South African Government must not consider it so. It is now time that South Africa finally realized the weight of international opinion that is ranged against it and the depth of feeling with which those opinions are held. Mr. Vorster himself said in 1967, and repeated in his Windhoek speech: "What is considered anathema today may well become sound practical politics tomorrow". We believe that South Africa's own true interests lie in peaceful transition and in early withdrawal from Namibia. Indeed this is precisely what the South African Government itself is now saying in words. Their response to this debate and to the proper concern expressed by the whole international community is, in our view, a touchstone of the genuineness of their intentions. We all expect and, we have a right to expect, that their words will now become deeds and that Namibia indeed does achieve its early freedom and its independence.

38. The PRESIDENT: It will be recalled that the Council agreed earlier at this meeting, as requested by the representatives of the United Republic of Cameroon and the United Republic of Tanzania to extend an invitation under rule 39 of the provisional rules of procedure to Mr. Abdul S. Minty of the Anti-Apartheid Movement, London. I therefore invite Mr. Minty to take a seat at the Council table to make his statement.

39. Mr. MINTY (Anti-Apartheid Movement): I wish to thank the Security Council for this opportunity to make a statement, and in particular the delegations of the United Republic of Cameroon and the United Republic of Tanzania for proposing a hearing.

40. It is a privilege to address the Security Council, and in 1972 I was grateful to have had a similar opportunity in Addis Abeba [1634th meeting], under the sponsorship of the OAU. This privilege is a special one for me as a South African, and more particularly as a representative of the British Anti-Apartheid Movement, which was established in 1959 to campaign for an end to *apartheid* and white domination in southern Africa.

41. If I may say so, it is also perhaps appropriate and fitting that I should speak immediately after my

friend Mr. Ivor Richard, who was an active supporter and member of the Anti-Apartheid Movement in the 1960s. Our movement has consistently supported the policies of the United Nations and the OAU and, in so far as it has been within our power, we have done everything possible to alert public opinion in Britain and the world to the dangers inherent in the southern African conflict.

42. Since 1960, immediately after Sharpeville, where British Saracen armoured cars were used in the massacre of Africans at Sharpeville and Langa, we set about organizing a world campaign for an international arms embargo, and to a certain extent we have some success to show.

43. I have not come to New York to tell the Security Council what to do about Namibia: that is for members of the Council and other Member States to decide on the basis of their own commitments to the people of Namibia, and of what SWAPO, the recognized and authentic representative of the Namibian people, asks of the United Nations. My purpose is to share with the Council our understanding of the Namibian problem and provide certain information which may assist it effectively to discharge its solemn responsibilities.

44. Our movement has, since its inception, been concerned with the problem of Namibia. In 1966 we held an international conference in Britain on South West Africa. That Oxford conference, under the chairmanship of Mr. Olof Palme, the present Prime Minister of Sweden, reached the conclusion that there existed a clear moral, political and legal basis for securing South Africa's withdrawal from the international Territory, and recommended the termination of the League of Nations Mandate. It unfortunately also reached the conclusion that what was absent, what was lacking, to assert this responsibility was political will on the part of the major Western Powers.

45. In October 1966, the General Assembly, in its resolution 2145 (XXI), terminated the Mandate, called on South Africa to withdraw from the Territory, and declared that the Territory was a responsibility of the United Nations. Since then, the persistent refusal of the *apartheid* régime to relinquish its control over Namibia, and its illegal and brutal actions in that Territory have, if anything, made stronger the grounds for international action against the illegal occupying Power.

46. Yet we witness once again a total absence of will on the part of the major Western Powers to take any meaningful action. With the assurance of this kind of Western support South Africa's letter to the Secretary-General [see S/11701], which I have read carefully, seems to reveal no desire on the part of the Pretoria régime to withdraw from Namibia and hand it over to the United Nations. Worse still, in that letter the Vorster régime claims to have found, between

December and now, what it calls the "true leaders" in the Territory, and it is prepared to engage in discussions with those "true leaders" to facilitate South Africa's policies of *apartheid* in Namibia.

47. Pretoria, as we know, rejects SWAPO totally. There is talk of elections to reveal SWAPO's support here in the Security Council and elsewhere; but, in our view, we should be very careful to be clear as to whom we need to convince that SWAPO is the authentic organization of the people of Namibia. The United Nations and the OAU have already recognized SWAPO. So are we here to try and prove to the illegal occupying Power the authenticity of SWAPO before it concedes the rights of the United Nations over that Territory? For South Africa, if it is genuine, the question is simple: withdraw from Namibia and leave it to the United Nations to conduct the process of decolonization. This they reject totally.

48. In the Security Council and in other organs, South Africa has been characterized as a police State, and the full force of its terrorism has been inflicted on the Namibian people as well. However, in recent years, with rapid militarization, that police State has also become a garrison State. In recent years, the occupying Power in Namibia has been forced to respond to the resistance of the Namibian people by sending ever-increasing contingents of the army and the air force in order to preserve its control. In June 1974 the Pretoria régime announced that large contingents of the defence force had been dispatched for duty in Namibia. Also, for the first time, the régime openly boasted about its military bases in the occupied Territory.

49. The *South African Digest* of 21 June 1974, issued in Pretoria by the South African Government—a copy of which I have here and will be pleased to provide to the permanent members of the Security Council in particular—stated:

"The South African Army is fully operational in the Caprivi area on an effective low-intensity war footing. ... From strategically situated bases in the area, trained national servicemen are regularly lifted by helicopter to selected spots for patrol duty."

50. In a special report in the same journal about vigilance on the border, the *Digest* describes the situation dramatically; I quote from page 8:

"The South African air force giant C-160 Transall troop carrier taxied to a stop at Mpacha Air Base, Caprivi. ... Hundreds of splendid-looking South African soldiers were perched atop armoured vehicles and trucks. Armed to the teeth, the casual-seeming attitude of the troops belied their obvious state of instant readiness.

"It was a wonderfully reassuring sight. Here indeed were solid men at the front. To the members

of the official South African press party—the first such group allowed into the anti-terrorist war zone—the message was loud and clear: South Africa's fighting border is in good hands."

The report mentions the C-160 Transall aircraft, which is a joint French-German product sold by France to South Africa, and about which representations have been made by all movements, by the OAU and indeed by President Kaunda to the leaders of those countries.

51. In the same journal, the *Digest*, there are several photographs. One is a clear one of a helicopter used by military patrols in Namibia. I identify it as a Super-Frelon helicopter supplied by France. Whenever the French Government has been called upon not to supply weapons to South Africa it has responded by suggesting that French weapons are not to be used for internal suppression in southern Africa, and in any case the United Nations does not have a mandatory embargo on the question. Last year we were heartened when the newly elected President of France told the world that France would not supply weapons for use against people who are fighting for self-determination. I know that it often takes a Government a long time to implement its policies, but one year is a long time even for the French Government. Here is clear evidence of French weapons being used in Namibia to preserve South Africa's illegal occupation. These weapons are utilized to suppress the struggle of the Namibian people for self-determination and independence. In the light of this evidence—and there is much more that we can provide from South African sources—what has the French Government done? In the unlikely event that the Paris Government did not know of it, and in the light of this evidence that I am submitting today, what does it propose to do? I do not expect that the French Government wishes to behave dishonourably in this respect and it will, therefore, assure the Council that it will forthwith cease the supply to South Africa of all military equipment and spares for those weapons. I hope too that the French Government will, as a result of its own experience of the Pretoria régime, which has apparently violated French conditions regarding the supply of these weapons, immediately announce a complete arms embargo against South Africa and send South Africa's arms buyers, who I know are at this moment negotiating to buy more weapons at the Paris Air Show, back home to South Africa. This, in our view, is the minimum that the world and no doubt the French people expect of the Government of France, and we await the response from Paris.

52. Recently we have received certain documents which appear to be authentic evidence that the North Atlantic Treaty Organization (NATO) system of codification of military equipment and spare parts now extends to South Africa. We have presented this material to the Chairman of the Special Committee against *Apartheid*, and it was released here in New

York on 1 June 1975.² The South African régime has installed a modern military communications system with headquarters not far from Simonstown, and a substation of this communications system is based in Walvis Bay in Namibia. This system, on which I have done considerable research, monitors and can establish contact with all aircraft, ships and submarines throughout the South Atlantic Ocean and the entire South Pole area and across the Indian Ocean well beyond India. Various military journals have reported that it is directly linked up to London and Washington. The documents we have show that the initial arrangements for the system were made by certain West German firms and the West German Defence Ministry. They show too that the NATO code for equipment and spares has been used for this Advokaat system. I refer to NATO Form AC/125 No. 8 (revised), which is the NATO form for the codification of spare parts. Since announcing this information a few days ago, our office has received a further document, which apparently is in the hands of the South African authorities, entitled "NATO Codification of Equipment, Initial Exchange of Information". The number of this is described as NATO Form AC/135 No. 8 (revised). These two forms are therefore complementary.

53. NATO has admitted in the past that it has prepared plans for operations around southern Africa, but all NATO members, as well its Secretary-General, have denied that South Africa has any links whatsoever with NATO. We should like to know how it has then come about that South Africa, which is not a member of NATO and is far outside its treaty area, should have this codification system which is only meant for NATO members. Who provided South Africa with the code? Does this mean that the principal NATO Powers have already placed such a high degree of reliance on South Africa's defence role in the southern hemisphere that they propose to treat South Africa as if it were almost a NATO member? Are we to conclude from the advertisements placed by South African embassies in NATO capitals that it is only a matter of time before Simonstown is used as a NATO base? There have been grave developments recently where certain Western Powers have indicated publicly their desire to rely on South Africa for south Atlantic and Indian Ocean security, thereby conferring upon the *apartheid* régime the role of a major regional Power in that hemisphere. These developments pose very real dangers for all the States in Africa and the littoral States not only in the south Atlantic but also in the Indian Ocean. This Advokaat communications system, as I have said, has one of its substations in Walvis Bay in the occupied Territory, so that those who are using this communications system are relying on South Africa's continued occupation of that region. In this connexion we wish to draw the attention of the Security Council to a letter we received from a Minister at the Foreign and Commonwealth Office in London dated 3 April 1975 which alarms us. That letter states:

"... Her Majesty's Government have recognized that Walvis Bay is an integral part of the Cape Province of the Republic of South Africa and that the Caprivi Strip is part of South West Africa (Namibia). Walvis Bay was never part of the mandated Territory but was part of the Union of South Africa before the mandate was granted in 1920."

I submit that the British Government, therefore, should be pressed to explain what it understands by the need to preserve the territorial integrity of Namibia.

54. I have earlier referred to the militarization of Namibia. The bases which are established in the occupied Territory are not only for the purpose of securing Pretoria's control; they are major bases equipped for attacks against African States to the north. The Star of Johannesburg of 19 April has this quotation from Angola's Minister of the Interior, Mr. Kabangu: "South Africa has installed near our district one of the most modern bases in Africa, in which rocket launchers have been installed—all pointing in the direction of our country."

55. South Africa has thus sent its armed forces in large numbers across the border of the international Territory of Namibia, which is subject to the legal authority of the United Nations. Bases established in the occupied Territory are to facilitate attack against neighbouring States as well as the Namibian people. In our view, the illegal occupation of Namibia, the militarization of the Territory, the establishment of major military bases there and the admission of such establishment amount to a clear breach of the peace and constitute an act of aggression as well as a threat to international peace within the meaning of the Charter.

56. In 1960 we were campaigning on arms in Britain, as I have said, and on 17 March 1963 the newly elected leader of the Labour Party and then a member of the Anti-*Apartheid* Movement, Mr. Harold Wilson, accepted an invitation from us to join our campaign to stop the supply of weapons to South Africa. He was the main speaker at a rally that we organized in Trafalgar Square at that time, and he had this to say: "Act now"—this was an appeal to the British Government—"and stop this bloody traffic in the weapons of oppression." He went on to say that there was not time for the Labour Government to get into office because the matter was supremely urgent and that Mr. Macmillan ought to act immediately.

57. Now I should like to know what has happened in southern Africa since 1963 to make it less of a threat to peace, to make this kind of action less urgent. I have already explained the position in Namibia. The representative of Britain spoke about the Rhodesian problem, but failed to mention under this section the supreme violation of British sovereignty over its

colonial territory by the dispatch of armed forces on the part of South Africa to Rhodesia. That is a clear breach of the peace. Why then no action on that question, as recommended in Chapter VII of the Charter?

58. Since 1963, the South African budget has shot up fantastically. We do not believe that the British leaders are those who support *apartheid*, and therefore we find it difficult to understand the difficulty they seem to have in determining that there is a threat to peace in southern Africa as a result of the military build-up and thereby asking for mandatory action with regard to the arms embargo. They already claim to implement the embargo. Indeed, when we were all at Kingston a few weeks ago, the Heads of Government of other Commonwealth countries welcomed the strict arms embargo that is supposed to be implemented by Britain and also welcomed the announcement that the Simonstown Agreement was terminated. What then is the problem?

59. Since 1963 the United States has informed us about its decision on implementing the arms embargo. We know that that decision is not complete and that there are major violations in that embargo. But nevertheless the United Kingdom and the United States say that they apply an arms embargo, unlike France. What then is the difficulty?

60. The great Powers in the West seem to be saying to us throughout that their policy with regard to Namibia, their policy with regard to Rhodesia and their policy with regard to South Africa is based on what is in the interests of South Africa, and therefore they reach the conclusion that they must have no confrontation with South Africa on any of these questions, whether it be Namibia or Rhodesia or *apartheid*. In their anti-liberation policies, over the years this has moved them to a position whereby they come into direct confrontation with the liberation forces. They describe those policies as peaceful change, which in effect means only that change which the South Africa Government will decide on, at the rate that the South African Government decides on, at the pace that the South African Government decides on and in the direction that the South African Government decides on. That is the only change they accept within the limitations of what the *apartheid* régime can do.

61. We feel that there is a more dangerous situation now because of the evolving military alliance between South Africa and the major western Powers, which will with every day that passes make the prospect of international action even more difficult in the months and the years to come.

62. It appears to us that whenever the Security Council has before it items on southern Africa, the Western permanent members immediately begin dusting their vetoes in readiness to block any meaningful action that is proposed. The permanent

members of the Council have a sacred and solemn duty to preserve international peace and security, and just because of their close economic and other relationships with South Africa they are placing those interests above any objective assessment of the situation. Therefore, when the present threat to peace leads to a major conflagration of catastrophic proportions, the responsibility for that will not only rest in Pretoria, but also in London, Paris and Washington.

63. We believe that since it has been resolved that responsibility for Namibia rests with the United Nations, South Africa has to end its illegal occupation. It has refused to do so. The Council, in our view, therefore, has the clear duty to take steps to expel the occupying régime. That, we are told by people in higher positions, is impossible because the permanent members will never contemplate such action.

64. Meanwhile, in recent years, the Western Powers have claimed that their special relationship with Pretoria leads them to believe that changes are likely. That was also said at the Special series of meetings of the Security Council in 1972 [1627th to 1639th meetings]. But we seem to be told even now that there is still a chance and that we should give South Africa yet another opportunity.

65. The South Africans say that they do not want a single inch of Namibia. But how is it that over all these years, with all the international pressures that have been put on South Africa, it has not seen fit to release to the United Nations one single inch of Namibia?

66. That is the central issue. Who controls the inches, the miles and the entire territory of Namibia? South Africa has to withdraw, and therefore the absolute minimum that needs to be done by outside Powers is to deny all military arms and equipment and end all military relationships so that the illegal occupying Power is denied the military assistance with which it is illegally occupying that Territory.

67. We are told about new changes, of movements in certain directions, of shifts in South African policy. But the issue is not one of ending some discriminatory policies only; it is one of ending white domination in southern Africa.

68. Finally, it is possible that the Security Council will once again be paralysed, and it appears so. In our view, we are not totally disheartened by this simply because we have faith in the fighting spirit and strength of SWAPO. We shall continue to support them. We shall continue to carry on the campaigns not only in Britain, but also in other parts of the world where anti-*apartheid* movements exist. We shall continue to support United Nations and OAU policy on this question.

69. But I should like to conclude by once again posing the problem on southern Africa with regard to the Western Powers with the same words with which we concluded our submission to the 1972 session of the Council. On whose side are the Western Powers? Are they on the side of Africa and the United Nations and the liberation struggle, or on the side of the racist régimes in southern Africa? In our view, it is an answer to that question that will determine whether the Council can be effective in discharging its responsibilities with regard to southern Africa.

70. Mr. OYONO (United Republic of Cameroon) (*interpretation from French*): Mr. President, I should like to begin by expressing my delegation's keen pleasure at seeing you occupy the high office of the presidency of the Security Council for this month. Your country, Iraq, which shares the ideals of peace, independence and freedom with my country, has played and continues to play a particularly valuable role in our great family of non-aligned nations. For us it is a happy coincidence that you should now occupy the presidency at the very moment when the problems of southern Africa are once again under consideration. We are aware of your outstanding qualities as a diplomat and the high esteem that you enjoy among the members of the Council. We are convinced that our proceedings are in good hands.

71. I should also like to avail myself of this opportunity to extend our sincere thanks to the Minister for Foreign Affairs of Guyana, Mr. Ramphal, and Mr. Jackson, who directed the proceedings of the Council last month with noteworthy skill and effectiveness.

72. In participating at this stage in the debate that the Council, enhanced by the presence of Ministers of State and of Foreign Affairs of the non-aligned countries, is undertaking for the 10th time, and now almost a week has been devoted to the question of Namibia, I would like to assure members that, towards the end of a long day of speeches, the delegation of the United Republic of Cameroon will not abuse the attention that the Council has been kind enough to grant to it.

73. If there is one anachronistic, tragic, and grave question facing the international community about which it is all too easy to tell the truth here, it is that of Namibia, for it is a test case—for the United Nations, for the continent of Africa and for the most elementary human rights.

74. Having defined, analysed and debated them here and elsewhere, again and again over the years, we are only too well aware of the historical co-ordinates, the geographical, economic and social factors from which the situation which is unanimously recognized as intolerable, inhumane, repugnant and base proceeds—I shall spare you the other epithets with which other delegations have continually enriched

the anthology of the Organization on the subject of *apartheid*.

75. We have read, heard and reflected much on what continues to take place in southern Africa. We have rebelled; we have expressed, decided on, implemented and multiplied ways and means and devised ever more promising approaches to secure the triumph of law and democracy in that part of the world. We have hoped, imagined, initiated other processes; but, when it comes time to take stock, the reality has always remained unchanged.

76. South Africa has not given up one inch of the soil of Namibia which it continues to occupy illegally, and it continues to apply its policies of *apartheid* in that country. Need one recall here yet again the report prepared by the Odendaal Commission aimed at fragmenting the territorial base of Namibia into Bantustans—on the understanding, of course, so far as concerns the desert but diamond-rich part of the country, that 40 per cent of the land would be allocated to Africans and 60 per cent to Europeans, who represent some 100,000 inhabitants out of a population of 800,000?

77. And why should South Africa budge? It will for a long time yet be able to rely on certain permanent members of the Security Council whose dedication is truly fraternal, even if they class themselves among the liberals, and which provide weapons and other evidence of their solidarity within the framework of other organizations.

78. But one realizes here and has realized for years that it is not sufficient to speak this truth, to demonstrate it, and to rescue it from the well in which some have wished to bury it—and that not without truly extraordinary courage and astuteness. And one notes, not without sadness, that it does not suffice to present that truth here; that one must then secure its acceptance by all—and that, it seems to me, is an even more difficult task.

79. There is talk, there is debate; but the die is already cast, the coalition has been or is being shaped against what the great majority of the nations think. One can then easily understand the tranquil assurance of Mr. Vorster with regard to the feelings, the concerns and the threats of the international community aimed at his abominable régime, because he is well aware that there has always existed, there exists now and there may well continue to exist—if we do not put an end to it—within the Organization a glaring discrepancy between our statements our words and our deeds. That is why Pretoria has taken no more notice of resolution 366 (1974) than it has done of all the resolutions adopted here during more than 30 years.

80. Pretoria's reply of 27 May [*see S/11701*], has been the subject of ample and brilliant comments here in an admirable display of rhetoric. Some have wished

to see in it a sign, a ray of light, have detected the first step towards breaking the deadlock, and have invited us to follow on this road by conceiving and initiating another process whereby we would be finally and definitively alerted to the thoughts and the true ulterior motives of Mr. Vorster—this is one way of confining us to casuistry—and that although Mr. Vorster has cynically limited himself to offering an apologia for the Pretoria arguments; although he has declared—so far as concerns the exercise of the Namibian people's right to self-determination and independence, which, for that matter, in Mr. Vorster's eyes, does not exist as such—that this must take place without what he dares to call "the interference of the United Nations or of any other external entity". The invitation extended at the same time to the Secretary-General of the United Nations—who enjoys our every confidence and our deepest respect and whose untiring efforts in behalf of international peace and security we much appreciate—to appoint immediately a representative to go to the scene and see what has been accomplished clearly points to a manoeuvre on the part of Mr. Vorster, who wishes to get the nod for his policy from the Organization from the very fact of the appointment of such a representative. We are all the more sceptical about the possible result of such an approach as it has already been tried in the past and has come to nothing.

81. For my delegation, the contents of Mr. Vorster's letter are meaningless. However, we are not surprised that others have managed to find something in the letter that could be exploited for the just and noble cause of Namibia, because texts are like inns: you find there what you bring to them.

82. My delegation would rather go along with the interpretation offered by my brother Mr. Sam Nujoma, President of SWAPO, to Mr. Vorster's letter. He saw it as a further attempt to procrastinate and to prevent the Security Council from taking practical and lawful measures against the occupation of Namibia by the minority régime.

83. For the non-aligned countries, the Security Council is in duty bound to restore and to reaffirm its authority and credibility vis-à-vis South Africa. The action of the Council must be based on paragraph 5 of resolution 366 (1974), which is to say, the application to South Africa of the appropriate measures provided in the Charter. And with regard to those appropriate measures, the Council must go beyond mere condemnation, appeals and exhortations; it must envisage applying far more energetic measures, those provided in paragraph 9 of draft resolution S/11713; namely, it must:

“(a) Determine that the illegal occupation of the Territory of Namibia by South Africa constitutes a threat to international peace and security;

“(b) Decide that all States shall prevent:

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

84. The Council must decide that all States shall give effect to the decision set out in subparagraph (b) ii of paragraph 9 of the draft resolution, notwithstanding any contract entered into or licence granted before the date of this resolution, and that they shall notify the Secretary-General of the measures they have taken to comply with the aforementioned provision. The Council must decide also that the provisions of the above-mentioned subparagraph shall remain in effect until it has been established to the satisfaction of the Security Council that the illegal occupation of the Territory of Namibia by South Africa has been brought to an end. We wish to make it clear that such an arms embargo against South Africa must be total, strict and without distinction between offensive and defensive weapons.

85. The pressure of the international community must be sufficiently firm to reflect our determination to ensure that the rule of law is restored in Namibia. It was in that spirit that the group of non-aligned countries engaged in the intensive and constructive consultations with the other members of the Security Council that led to the formulation of draft resolution S/11713, which I now have the honour to introduce on behalf of my colleagues.

86. In this context the Security Council, having noted that South Africa has not made the declaration demanded in paragraph 3 of its resolution 366 (1974) but that, on the contrary, the racist régime is intensifying daily the structures of repression, exploitation and *apartheid* in Namibia designed irreparably to compromise the national unity and territorial integrity of the country, should clearly condemn the Government of South Africa for its failure to comply with the terms of Security Council 366 (1974), for its continued illegal occupation of the Territory of Namibia and for its illegal and arbitrary application of racially discriminatory and repressive laws and practices in Namibia. The Council should further demand that the Government of South Africa put an end forthwith to its inhuman policy of Bantustans and

proceed urgently with the necessary steps to withdraw from Namibia.

87. The Council is called upon to reaffirm the legal responsibility of the United Nations over Namibia and to demand that South Africa take appropriate measures to enable the United Nations Council for Namibia to intervene with a view to facilitating the transfer of power to the people of Namibia so that that people may decide its future without any external pressure. It is imperative that free elections be organized under the supervision and control of the United Nations as soon as possible, and in any case not later than 1 July 1976. The Council also would reaffirm its support for the struggle of the people of Namibia.

88. On that specific point, the Secretary-General is to be requested to report to the Security Council concerning the implementation of paragraph 9 and other provisions of this text. It is understood that this mandate entrusted to the Secretary-General implies no form of dialogue between South Africa and the United Nations.

89. After having taken into consideration the constructive suggestions put forward by some members of the Council, the co-sponsors of the draft resolution have refrained from providing in their text for mandatory economic sanctions or the expulsion of South Africa from the United Nations. Nevertheless, as may be seen from paragraph 14, if there is no serious attempt to comply with this resolution, the Council is to meet on 30 September 1975 at the latest to decide on the full range of other enforcement measures against South Africa that are provided for in the Charter.

90. That, then, was what I had to say to the Council, on behalf of the non-aligned countries, with regard to the draft resolution now before the Council for consideration. We are convinced—for the winds of freedom and independence are now blowing on the southern part of the African continent—that the adoption and application of the present text by the Security Council, as well as the victories which SWAPO has already won in its noble struggle for liberation, with the massive aid and the no less massive support of Africa, the Third World and the freedom-loving peoples, can hasten the accession of the valiant people of Namibia to the exercise of its undeniable and inalienable right to independence.

91. Mr. TCHERNOUCHTENKO (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): The delegation of the Byelorussian SSR would like to congratulate you, Mr. President, on your assumption of the presidency of the Security Council and to express its satisfaction that the difficult and responsible work facing the Security Council during this month of June will be done under your guidance. We should like also to express our sincere appreciation

to the Minister for Foreign Affairs and the representative of Guyana for the way in which they conducted the meetings as President last month.

92. The world community is once again witnessing a tense and protracted discussion in the Security Council on the question of Namibia. During that discussion statements have been made by the representatives of more than 30 States, including the Ministers for Foreign Affairs of a number of African countries. Statements have also been made in the Council by the President of SWAPO, Mr. Sam Nujoma, and other patriots and freedom-fighters against South African racism.

93. But it is not only the scope of the discussion that is important: it is also the very nature of that discussion. Everyone is becoming more and more aware of who is taking which position, who is truly siding with the peoples fighting for the final liquidation of colonialism and racism, who is truly siding with the people of Namibia and its representatives, and who has not yet drawn the lessons from history and is continuing as before the futile struggle to delay the process of the final emancipation of Africa from colonialism and racism.

94. The question of the attitude taken towards Namibia and the fate of its people is not an ancillary question; it is a question of principle and of policy.

95. Our delegation was much impressed by the statements of representatives of African States. Even if we take only certain short extracts from those statements, it will suffice to give a convincing picture of the intolerable situation in Namibia and to indicate the racist nature of the policies of South Africa as practised in that country. Here are just some of them: "South Africa is conveniently avoiding the basic issues, which are the self-determination, independence and territorial integrity of Namibia" [*1823rd meeting, para. 20*]; that was said by the President of the Council for Namibia.

96. The statement that "South Africa does not occupy [the] Territory but is present at the request of its people", stressed by the representative of Somalia, the country that now holds the chairmanship of the OAU, "makes a mockery of past history and present facts" [*ibid., para. 46*].

97. In his statement, the representative of Burundi, the Chairman of the African Group of countries in the United Nations, noted "the continued occupation of Namibia by South Africa is an act of aggression—as the General Assembly has already stated—and a threat to the peace in that part of Africa" [*ibid., para. 60*].

98. The attempt by the South African racists to perpetuate the policy of Bantustans was described by the Minister for Foreign Affairs of Liberia as an

obvious attempt to promote" the continuation of South Africa's political and economic domination of the Territory" [1824th meeting, para. 17].

99. Speaking of the reasons for South Africa's failure to comply with the Security Council's decisions, the representative of Ghana declared: "Those resolutions might have had the desired effect but for the economic, political and military connexions that existed and still exist between South Africa and certain Western countries" [ibid., para. 67].

100. The Minister of Foreign Affairs of Tanzania stressed:

"... in whatever way one conceives the current situation in Namibia arising from South Africa's continued defiance of the will of the international community and its brutal repression of the people of the international Territory of Namibia, the problem is one which seriously threatens the peace, security and tranquillity of the area. It is one which cries for a prompt, decisive and definitive decision by the Council." [1826th meeting, para. 91]

101. Our delegation also listened carefully to the statement by the representative of Algeria, a son of Africa and a representative of the Arab world, when he told us that the Ministers for Foreign affairs of the countries members of the Co-ordinating Bureau of Non-aligned Countries, in the document that was adopted at the Havana meeting, required, among other things, that "the oppressive régime of the white minority in South Africa apply the resolutions and decisions of the United Nations on Namibia..."; declared their support for "the legitimate struggle of the people of Namibia under the direction of its liberation movement, SWAPO", and called upon the Security Council "to discharge its responsibility and to adopt all the necessary measures, including those provided for in Chapter VII of the Charter" [1828th meeting, para. 74]. We consider this a very important international document testifying to the support for the people of Namibia by the non-aligned States that are playing a tremendous positive role in international affairs.

102. My delegation expresses its strong support for the peoples of the African countries and other States that are calling for an end to colonialism and racism in southern Africa. There now exist most auspicious conditions for this, since the collapse of the Portuguese colonial empire.

103. The position of the Byelorussian SSR on the question of Namibia has been repeatedly stated in the United Nations. The Byelorussian SSR has consistently favoured the granting to the people of Namibia of its inalienable right to self-determination and independence and has always favoured preservation of the territorial integrity of Namibia and supported the struggle of its people against illegal occupation of the territory of Namibia by the South African racists.

104. The Byelorussian SSR supports all the decisions of the General Assembly and the Security Council aimed at the earliest possible liberation of Namibia from South African rule. We have repeatedly pointed out that the basic reason for the deadlock in the question of Namibia and also the reason for the outrageous behaviour of the racists of South Africa is to be found in the fact that the South African authorities and their policies vis-à-vis Namibia enjoy the direct support of a number of Western Powers. It is also universally known that the granting of freedom and independence to the people of Namibia is being prevented by the avid aspirations of the transnational monopolies that are engaging in predatory plunder of the irreplaceable natural wealth of Namibia and are cruelly exploiting its people.

105. In its resolution 366 (1974), the Security Council called upon South Africa, among other things, to make a solemn declaration that it would comply with the resolutions and decisions of the United Nations and the Advisory Opinion of the International Court of Justice of 21 June 1971¹ in regard to Namibia and to recognize the territorial integrity and unity of Namibia as a nation; to take the necessary steps to effect the withdrawal of its illegal administration maintained in Namibia and transfer power to the people with the assistance of the United Nations; to take steps to release all Namibian political prisoners; to abolish all racially discriminatory and politically repressive laws and practices in force in Namibia, particularly those concerning Bantustans and homelands; and so forth.

106. The Government of South Africa has now had sufficient time to respond positively to resolution 366 (1974) of the Security Council. However, the South African racists are going in a different direction, as may be seen from their official reply [see S/11701] in connexion with the abovementioned resolution of the Security Council. They are endeavouring to perpetuate their rule over Namibia by carrying through the policy of Bantustans and homelands and at the same time staging a farce in the form of so-called planned changes in Namibia which some members of the Council in their defence of South Africa have characterized as encouraging and as paving the way for negotiations and so on and so forth. The so-called new policy of the South African racists in Namibia was described by the London newspaper *Africa* in its issue No. 42 for 1975 in the following terms: "A realistic appraisal of the new policy shows that it is made up of the familiar components of sophistry and brute force." According to the same newspaper, the Pretoria authorities "are determined to cut off independent Ovamboland from the remaining territory of Namibia, which would form a confederation of mini-States under the rule of the wealthy white region."

107. In the efforts of the United Nations to put an end to the colonial racist policies of the South African régime there has been no deficiency, no inadequacy. But those efforts have failed for a reason long under-

stood by everyone. The reason is that South Africa continues to enjoy direct support and protection from a number of Western countries. The time has come for the Security Council to take the most decisive measures against the South African régime, up to and including the application of mandatory sanctions envisaged in the Charter, in order to compel that régime to carry out the provisions of the United Charter and the decisions of the Security Council, and to liberate the Territory of Namibia and give its people their freedom and independence. The efforts in that direction must not be weakened but rather strengthened. At the same time our delegation recognizes the lawful right of the people of Namibia to continue the struggle by all the resources available to them against the occupation of their territory, the policy of *apartheid* and the plunder of the country's natural wealth.

108. My delegation listened with great interest to the statement by the representative of the United Republic of Cameroon, who just introduced draft resolution S/11713, speaking on behalf of the five sponsors, non-aligned States members of the Security Council. Our delegation has the deepest sympathy with this draft resolution and supports it.

109. Finally, our delegation would like once again to stress that the Byelorussian SSR, like other socialist countries, is consistently and unswervingly in favour of the complete emancipation of Africa from colonialism and neocolonialism and wants to see not one single region, not one territory remaining in the continent of Africa where colonialism, racism and *apartheid* continue to hold sway.

110. We would also like to voice our appreciation to those representatives of African countries who in their statements have offered high praise for the position taken by the socialist countries and expressed appreciation for the assistance and support they have afforded the peoples of southern Africa in their struggle for freedom and independence.

111. Mr. SALAZAR (Costa Rica) (*interpretation from Spanish*): Mr. President, my delegation would like to associate itself with the congratulations which have been offered to you as you take up the presidency of the Security Council this month. Your skill and tact have been displayed in your splendid conduct of our deliberations and my delegation is prepared to give you our co-operation as you exercise your noble functions.

112. We would also like to join in the praise which was expressed to the delegation of Guyana for its performance in the presidency of the Security Council last month. The Minister for Foreign Affairs of Guyana, Mr. Ramphal, demonstrated the interest of his country in the Security Council's affairs by coming to New York to preside over the meetings of the Council. A special tribute should be paid to

Mr. Jackson, who was in charge of unofficial consultations.

113. The Security Council is dealing with an important matter now about which there has been much debate in the past. The question of Namibia is one of those items which over the years has most occupied the attention of both the General Assembly and this Council. In spite of the fact that the United Nations has given constant attention to the question of Namibia, whenever the matter comes up for debate once again, one feels a kind of frustration when one compares what the United Nations has done and the insignificant results produced.

114. The position of the United Nations on Namibia is fully supported by my delegation. We believe that it is already pointless to go into the background of the question of the United Nations rights over the Territory of Namibia and the obvious illegality of the South African presence there. As a founding Member of the Organization, we have witnessed and contributed to efforts, undertaken for the decolonisation of those peoples who were subject to colonialism. We welcomed the independence of all the new African nations which today have their seats in the United Nations, and we wish to stand with them in their struggle to see to it that other African countries still under colonial domination will soon be able to enjoy their legitimate right to independence.

115. Although the pace of decolonization has been moved forward and has received quite considerable momentum from recent events in Portugal, which created favourable conditions for independence in Guinea-Bissau and gave rise to great hopes that Angola and Mozambique too will soon obtain independence, there are still colonial redoubts in southern Africa which point the need for us not to desist in our efforts in order to free those countries peoples still subjected to colonial domination.

116. The question of Namibia has posed the most outstanding challenge to the United Nations. Since the General Assembly in its resolution 2145 (XXI) decided to put an end to the Mandate of South Africa over the Territory which later came to be known as Namibia and to assume direct responsibility for the Territory until independence, in various resolutions of the General Assembly and the Security Council, there has been a repetition *ad nauseam* of the illegality of the presence of South Africa in Namibia. South Africa has been called on time and time again to withdraw its illegal administration over Namibia. Thus far, however, all warnings have fallen on deaf ears because the South African régime persists in its illegal occupation of the Territory.

117. This situation cannot continue indefinitely as it involves a flagrant flouting of the resolutions of the General Assembly and the Security Council that inevitably undermines the prestige which all Assembly resolutions and decisions of the Council should enjoy.

118. The moment must come when those of us who have confidence in the moral force of the decisions of the General Assembly and the binding nature of the decisions of the Security Council must ask ourselves, whether South Africa's recalcitrance is not only preventing the people from obtaining independence, but also—and this is perhaps the most regrettable thing—whether with its stubborn refusal to support those decisions it is not also undermining the integrity and power of the United Nations.

119. For a country such as the one my delegation represents, which entrusts the maintenance of its own security at the international level to organizations like the United Nations which can at any given moment command the moral and coercive force necessary to counter any aggression of which we might be the victims, because we have decided to remain unarmed and thereby vulnerable to any foreign threat, failure to respect decisions of the United Nations and the resultant undermining of its authority could have terrible consequences that for many countries would threaten their own survival.

120. Costa Rica, because of its constant support of and commitment to the process of decolonization, and because of its devotion to the role which the United Nations should play throughout the world, vigorously condemns South Africa's conduct. We believe that the time has come to take necessary action to compel South Africa to respect the decisions of the General Assembly which have been adopted with a view to the achievement of speedy independence in Namibia. While realizing that in the attainment of this primary goal it may be necessary to have additional contacts with the régime of South Africa, my delegation believes that after the adoption of resolution 366 (1974), which the Security Council adopted almost six months ago, the fields open for negotiation are not very broad.

121. It should be recognized that resolution 366 (1974) laid down a certain framework and certain conditions which the South African régime should fulfil. However, as many have said, it is well-known that South Africa has failed to abide by the most recent demands of the Council; and so, the area for negotiations is very limited, in spite of recent official declarations of the South African Government [*ibid.*].

122. The illegal occupation by South Africa of the Territory of Namibia has reached a critical point. We believe that pressure should be increased on South Africa in accordance with Chapter VII of the Charter. The Council may wish to decide on the type and scope of the sanctions it wishes to impose, but we believe that it should start with a binding embargo on shipments of arms to South Africa.

123. Some action of this kind is necessary, so as to reassert the authority of the United Nations, which obviously has been reduced by the stubborn refusal

of South Africa to support the decisions of the General Assembly and the Security Council.

124. Mr. KANE (Mauritania) (*interpretation from French*): Mr. President, at the outset I should like to tell you how pleased my delegation is to see you presiding over the Security Council this month. You have to discharge this lofty responsibility at a time when the Council is dealing with a problem of primary concern to Africa—not only because of its location, but also because of the political implications of the problem. Both as a Mauritanian and an African, I can only be pleased that it is the representative of Iraq, a country with which the Islamic Republic of Mauritania has always had cordial and confident relations based on friendship over the centuries, who is assuming the great responsibilities which are now yours. There are indeed very few countries, which, like yours, have understood that the greatness of a nation does not depend solely on the power of its economy or on its having discovered the secret of the atom, but primarily on its steadfast and sincere support of the universal moral values which underlie relations among the peoples of the world. It is with great pleasure and satisfaction that we have followed your positive action in the Security Council and in the system of the United Nations. Your personal qualities, your wisdom, your competence and your objectivity have made a major contribution to the success of the work of your delegation.

125. Once again we are gathered together to consider the situation in Namibia. Regardless of the outcome of our debate, I am sure you will agree with me that there have been very few subjects which have so much concerned the Organization and occupied the attention of world public opinion. The problem of Namibia has had much written about it; it has aroused great anger and indignation. It has dashed many hopes, and at times we have even doubted the usefulness of the Organization and the value of its objectives. The plight of the Namibian people and the plight of the Palestinian people are a kind of gangrene which every day undermines the moral health of the Organization.

126. South Africa and Israel—which should, after all, be mentioned by name—are continuing to flout the Organization, in spite of the resolutions of the General Assembly and the Security Council and the Advisory Opinion of the International Court of Justice.¹ If, since the League of Nations to the present, the situation in these parts of the world has remained frozen, it is because Israeli Zionism and South African racism—which are the natural extensions of the power of money—continue to enjoy the solid and self-serving support of some in the United Nations. No effort has been spared, from the north to the south of Africa, shrewdly to maintain the *status quo* there because it suits those who childishly still dream of turning Africa into the private preserve of foreign monopolies. After having drawn a parallel between those two systems

—zionism and racism—which are basically identical, obviously, because of their similar motivations, I will now turn to the specific question of Namibia which is at present before us.

127. Here I will not discuss the overly long history of Namibia, for that would take days or even weeks. I shall merely begin at the point where the Security Council provisionally halted its work on Namibia—that is, with resolution 366 (1974). In adopting that resolution, which may be added to the very many earlier resolutions of the General Assembly and the Security Council, Africa once again wished to give an additional opportunity to the South African régime and, at the same time, to spare the feelings of those members of the Council which felt that this additional period of time could be used to bring the South African racists to see the light.

128. Let us add, a year ago, the Pretoria régime said that it needed six months to change the conditions in southern Africa and act in accordance with the frequently expressed desires of the international community. But instead of six months, an additional period of nine months was given South Africa, in accordance with United Nations resolutions. Once again, the mountain has laboured and brought forth a mouse.

129. On 27 May 1974 [*ibid.*], in its reply to the Security Council, the Minister for Foreign Affairs of South Africa declared:

“As far as the question of South Africa’s withdrawal from the Territory and arrangements for the transfer of power is concerned, it follows from the policy enunciated above that South Africa will remain in and continue to administer the Territory only as long as the inhabitants so wish.”

Further on, the South African Government stated that it was unable to agree that the United Nations had any supervisory rights as regards South West Africa. I think you will agree with me that that reply could not be clearer or more precise.

130. South Africa’s position really should surprise no one, for it ties in very well with the “logic” of policies that have been pursued for more than a quarter of a century, namely, to arouse hopes in order to gain time. Suddenly it seems that the people of Namibia have become a people unable to decide on their own future! The Government of South Africa has carried cynicism to the point of even trying to make people believe that Namibia prefers colonization to sovereignty, exploitation to prosperity, brutal police methods to freedom, and division to unity.

131. There is no doubt about it: the South African racists are short on inventiveness, for their methods are mere carbon copies of the methods of the colonialists. They also, and I mean the South Africans,

have also learned to howl with the wolves. If there is any lesson to be drawn from the position of the South African Government—and it is high time that one be drawn—it is that that Government never had and does not have any intention of withdrawing from Namibia. Why so much courtesy and deference to the Government of South Africa, when it every day insults the United Nations by flouting its decisions? South Africa’s arrogance and defiance of the United Nations may be explained, however, by the support it receives from some of the members of the Security Council. Even today, some ventured to say that the situation in Namibia is no threat to international peace and security, and that consequently there is no reason for the Security Council to adopt a decision against South Africa. But that approach is definitely unrealistic and unwise. The fundamental role of the Council is to prevent anything which remotely or immediately might endanger international peace and security.

132. Unless it wishes to maintain an anachronistic colonial structure and consequently encourage South Africa’s domination of Namibia, the Security Council has a duty to reach the awaited decision which has long been desired by the Namibian people, the United Nations and, indeed, the international community.

133. Nothing can justify domination and the exploitation and humiliation of one people by another. For the Namibian people every day brings with it grief, untold suffering and misery, and the Namibian people cannot much longer tolerate the illegal and unjustifiable presence of South Africa in the national Territory of Namibia. Too many economic interests are at stake for those who today base their prosperity on the exploitation of that part of Africa to agree on their own to put pressure on the South African Government in an attempt to bring it to its senses.

134. Regardless of the position of those Powers, Africa will remain true to itself without any passion, without any hatred; it will bear its responsibilities before history, assisted by other peoples that love peace and justice.

135. If there is not a decision on the part of the Security Council, history itself will restore the truth, as indeed it has restored truth and justice in other parts of the world. A great people has been kept away from the mainstream of events for more than a quarter of a century by the relentless propaganda of imperialism. Today it is a full-fledged Member of the United Nations, and has a seat in the Security Council. Peoples have established truth by fire and sword and with great sacrifices on the part of their worthy leaders, who not so very long ago were called rebels and driven from power by imperialism.

136. There are significant political changes taking place in the world as a result of irreversible logic. People everywhere have taken their own destiny into their own hands. The independence of Guinea-Bissau,

Mozambique, Angola São Tomé and Príncipe, won as a result of a great struggle, have brought about qualitative and unexpected changes in Portugal itself. Today the liberated people of Portugal and African peoples have joined forces in order to usher in a world of justice, equality and peace.

137. The struggles of the Namibian and Palestinian peoples are all part of this process. Palestine and Namibia will not be exceptions to the rule. Those who will let nothing stand in the way today of their support for the colonialists and racists in South Africa should try to learn the lessons of history.

138. After having supported and maintained unpopular régimes which have finally been driven from power, imperialism should finally understand that its best and most productive investment in a country is first and foremost the confidence of the people of the country, and that can be won by giving assistance which will free the people, rather than maintaining domination over them and exploiting them.

139. The comfortable situation in which financial Powers are wallowing in southern Africa will not last forever. Sooner or later they will be driven from that part of Africa, as indeed they have been driven from other parts of the world.

140. As I said before, regardless of the outcome of our debate, African representatives and those here who have defended the cause of peace and justice will emerge from this room with their heads held high. The injustice at present in Namibia is not the work of the people. It is the work of systems and generations. The failings of a system or a class of men cannot be blamed on an entire people. A system or a generation of men may commit certain errors, but the people will always restore truth and justice. History, morality and justice are working against South Africa, and indeed they are working against those who have assumed the heavy responsibility of supporting the racist régime of Pretoria in the Organization.

141. In this conflict, which is pitting the whole world against the racist régime in South Africa, it will not be Namibians or Africans or peace-loving peoples that will emerge victorious, but it will be justice, truth and dignity which will win out over injustice and lies. History has shown that a people determined to fight, to live in freedom or to die, cannot be brought to its knees. The *status quo* that imperialism has not been able to impose on certain parts of Africa, Asia or Latin America will not be imposed on the southern part of Africa or the Middle East. The heroic struggle of the Namibian people under the leadership of SWAPO will end in triumph, for there is no force in the world that can stem the tide of history.

142. The PRESIDENT: As there are no further speakers, I shall make a statement in my capacity as representative of IRAQ.

143. As the Security Council is about to conclude its debate on the item before it, it is not the intention of my delegation to go into the history of the question of Namibia. The debate has provided us with an opportunity to review the situation in Namibia in great detail. My delegation appreciates the contribution of all the parties which have participated in the debate and particularly the highly important and enlightening statement made by the Ministers for Foreign Affairs whose very presence here underlined the seriousness of the situation.

144. It has been evident throughout the course of the debate that there is a general agreement that the South African reply to resolution 366 (1974) of the Council [*ibid.*] is vague and contradictory and in fact constitutes a categorical rejection of the decisions of the United Nations, its role and its responsibilities in Namibia. Resolution 366 (1974) was in effect an ultimatum pronounced unanimously by the Council. The question before us now is how should the Council proceed in view of the unsatisfactory reply of the South African régime.

145. The members of the Group of non-aligned States in the Council have held long and arduous consultations among themselves and with other parties in an effort to produce a draft resolution which would embody the logical actions to be taken by the Council at this juncture in view of the latest developments in the Namibian situation. The serious differences which arose between the members of the non-aligned Group and three permanent members of the Council concerned the mandatory nature of the arms embargo against the South African régime. Whether such an embargo is to be mandatory or not depends, of course, on whether or not the Council considers that the situation in Namibia constituted a threat to international peace and security.

146. As long ago as 1971 the Council, in paragraph 9 of its resolution 301 (1971), had already declared that any further refusal of South Africa to withdraw from Namibia "could create conditions detrimental to the maintenance of peace and security in the region". That was the considered judgement of the Council four years ago and cannot now be taken for granted or passed over in silence. In the view of my delegation, not only the continued refusal of the South African régime to withdraw from Namibia, but also the persistence of that régime in its policies and the recent developments in that region and in the whole of the African continent, turns the threat in Namibia into one of truly international dimensions.

147. As for the importance of imposing an arms embargo on South Africa, I would refer to an even earlier resolution adopted by the Security Council, namely resolution 282 (1970), which stated in the preamble that the Council was convinced that

"the constant build-up of the South African military and police forces, made possible by the continued

acquisition of arms, military vehicles and other equipment and of spare parts for military equipment from a number of Member States and by local manufacture of arms and ammunition under licences granted by some Member States, constitutes a potential threat to international peace and security”.

148. The Security Council later adopted resolution 283 (1970), which reaffirmed the aforementioned resolution on the arms embargo against South Africa and emphasized the significance of that resolution with regard to the Territory of Namibia.

149. In view of those resolutions, and taking into consideration the intransigent attitude of the South African régime, my delegation believes that the Council not only could but should now consider the illegal occupation of Namibia as a threat to international peace and security. My delegation further regards the very refusal of the South African régime over the years to comply with the unanimous demands and decisions of the Council as in itself constituting a challenge and a threat to the highest international body entrusted with the maintenance of international peace and security and thus a threat aimed directly at that same international peace and security.

150. The sponsors of draft resolution S/11713 before the Council went a long way in trying to accommodate the views of the Council members who objected to certain provisions of the draft. As the consultations progressed, it became evident, however, that certain members would not, now or ever, be willing to consider that the illegal occupation of Namibia, if continued, could constitute a threat to international peace and security. It became evident that they would not consider even remotely the possibility of the application of Chapter VII of the Charter against South Africa, now or ever. Such were the impressions of my delegation.

151. Such an attitude on the part of certain members of the Council could only strengthen the resolve of those who are fighting for freedom and independence to intensify their struggle by all means available to them and to disregard the sacrifices and the consequences, whatever they might be. The members of the Council should not fail to take this likely development into account, when the situation would then deteriorate beyond redemption and we would be confronted not with a threat to international peace but with an armed conflict, the international dimensions of which no one can camouflage.

152. The representative of France pointed out, in the statement he made before the Council last Monday, that “the South African reply does not sufficiently take into account the requirements of the situation in Africa and in the world” [1824th meeting, para. 92]. My delegation sincerely believes that if the Council fails to take cognizance of the fact that the situation in Namibia does indeed constitute a threat to interna-

tional peace and security, then the Council itself would have failed to take account of the situation in Africa and in the world.

153. Iraq, for its part, shall continue, in the best way it can, its support for the legitimate struggle of SWAPO for the liberation and independence of Namibia from the illegal occupation of the racist South African régime.

154. Speaking as PRESIDENT of the Security Council, I should like to indicate that the list of speakers for this discussion has now been exhausted. Some members of the Council have requested, however, to speak in explanation of vote before the Council proceeds to a vote on draft resolution S/11713, and I shall now call on them.

155. Mr. CHUANG Yen (China) (*translation from Chinese*): The Chinese delegation’s position of opposing the so-called “dialogue” with the South African racist régime is known to all, and it has been stated on many occasions in the past. In the opinion of the Chinese delegation, the wording of operative paragraph 13 of draft resolution S/11713 does not authorize, and can in no way be construed as authorizing, the Secretary-General to enter into any so-called “dialogue” with the South African authorities. Moreover, the Chinese delegation has reservations on paragraph 7 of the said draft resolution. With the above statement, the Chinese delegation will vote in favour of the draft resolution.

156. Mr. RYDBECK (Sweden): The Swedish delegation will vote in favour of draft resolution S/11713. We do so since we consider that it is now essential to increase the pressure on South Africa in order to put an end to the illegal occupation of the Territory of Namibia by South Africa. We made it clear yesterday that in the opinion of my Government the application of Chapter VII of the Charter is justified and we gave our reasons for this view. However, we are not entirely satisfied with the present draft. We would have wished to have a text much more explicit with regard to United Nations contacts with South Africa in order to explore the possibilities that may exist to promote a peaceful movement towards the goal of a free and independent nation of Namibia, an independence based on free elections conducted under United Nations supervision and control.

157. Still, we note that paragraph 13 requests the Secretary-General to report to the Security Council concerning the implementation of paragraph 7 regarding the supervision of free elections in Namibia by the United Nations. That implies, in our view, that the Secretary-General must make all the contacts he deems necessary in that context in order to create a base for his reporting to the Council regarding implementation.

158. Intensive and open, constructive and frank consultations have preceded today’s meeting when

we are about to take a vote. My delegation is, I am sure, not alone in having hoped that a greater measure of agreement could have been achieved during those consultations. We want to emphasize, however that we do not regard the lack of agreement as signifying a lack of agreement as regards the goal that has to be achieved by the United Nations for Namibia. The debate shows the contrary. The differences concern the assessment of the situation and the paths to be pursued to realize this goal. We trust that when the time comes in a perhaps not distant future for the Security Council to review again the question of Namibia, it will prove possible to mobilize the full support of all members for measures that will finally move South Africa to accept and give its full and unequivocal co-operation in the establishment of the free and independent State of Namibia.

159. The PRESIDENT: There are no further names inscribed on the list of speakers. If no other representative wishes to speak at this stage, may I take it that the Council is ready to proceed to the vote on draft resolution S/11713?

160. As there are no further speakers, I shall now put to the vote the draft resolution submitted by Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania, which is before the Security Council.

A vote was taken by show of hands.

In favour: Byelorussian Soviet Socialist Republic, China, Costa Rica, Guyana, Iraq, Mauritania, Sweden, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania.

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Italy, Japan.

The draft resolution was not adopted, the negative votes being those of permanent members of the Council.

161. The PRESIDENT: I shall now call on those delegations which have asked to be allowed to explain their vote after the vote.

162. Mr. SAITO (Japan): My delegation abstained in the voting on draft resolution S/11713. My delegation found difficulty in supporting the provisions of operative paragraph 9, which invoked Chapter VII of the Charter.

163. Although, as I said in my earlier statement [1827th meeting], my delegation is gravely concerned over the situation in Namibia and understands the strength of the demand for certain specific action against South Africa, we found it difficult to accept the finding that the situation in Namibia constitutes

a threat to international peace and security under present circumstances, which, in the considered view of my delegation, still offer the possibility of a peaceful solution through talks between the parties directly concerned.

164. To the regret of my delegation, the result of our deliberations this week is that the Council has failed to take concrete action against South Africa, which has not complied fully with the provisions of resolution 366 (1974). However, the Council's position regarding Namibia is quite firm: all members of the Council agree that the presence of South Africa in Namibia is illegal and that it is under obligation to withdraw from Namibia. The position taken by members of the Council on these points is firm and unshakable, and South Africa should be aware of the Council's unanimity on these fundamental points. The only difference within the Council is over the methods to be applied against South Africa.

165. For years the Government of Japan has effectively enforced an arms embargo against South Africa in compliance with the recommendations in the relevant Security Council resolutions, and I wish to declare in this Chamber that Japan will continue to do so. In this connexion, I am encouraged by the declarations of the representatives of the United States of America and the United Kingdom that their Governments will not permit the export of arms to South Africa.

166. In concluding, my delegation wishes to make an urgent appeal to South Africa to respond to the strength of this feeling in the Council, and indeed everywhere, and comply in good faith with the provisions of resolution 366 (1974).

167. Let us now again unite and consolidate our efforts to induce South Africa to comply with the Security Council resolutions dealing with the situation in Namibia. The delegation of Japan will extend full cooperation with the Council to this end.

168. Mr. PLAJA (Italy): Italy's position in the current debate was clearly stated here on 4 June [1826th meeting]. My delegation said then that Italy supports the right of the people of Namibia to self-determination and national independence; reaffirms that the unity and territorial integrity of Namibia must be preserved; condemns racial discrimination and repressive laws and practices in Namibia; considers that the present occupation of Namibia is illegal and demands that it should be put to an end urgently; is convinced that the transfer of power to the Namibian people must be accomplished in co-operation with the United Nations, which has legal responsibility for it; and that such transfer of power must be the result of peaceful developments based on negotiations.

169. The Italian delegation has also indicated its great disappointment and dissatisfaction with the reaction

of South Africa to resolution 366 (1974). It was accordingly ready to participate in what had grown, it seemed, to be quite a consensus in the Council on the necessity at this time of putting additional pressure on South Africa to give a straightforward and positive answer to the requests contained in resolution 366 (1974). We were comforted in our view by what has been said in the Council by several prominent African leaders. In substance, the granting to South Africa of another short delay to probe its willingness to comply with its international obligations should be accompanied by the kind of strong pressure which could have only derived from a joint unanimous decision by the Council. Unfortunately, this has not been the case; and I regret it sincerely, mainly because I think that the cause of the Namibian people themselves would have benefited by a display of unanimity in the Council.

170. Although it appears from what I have stated that the Italian delegation supports most of the provisions of the draft resolution on which we have just voted, it was not able to support those which referred to action under Chapter VII of the Charter. As a matter of fact, to the Italian delegation, the problem of Namibia is still one of illegal occupation of a Territory by the administering Power and of violation of human rights for which the Charter makes provisions under other rules.

171. I shall add that the Italian delegation would have favoured a reflection in the text of the idea suggested from various sources during the debate for the establishment of some contact with South Africa, believing that it could have a useful role in promoting movement along the lines of resolution 366 (1974).

172. I shall conclude by stating that Italy will stick to what it considers its obligations as a Member of the Organization, that is to say, it will pursue all possible efforts to have the Government of South Africa urgently implement resolution 366 (1974) and will strictly observe the arms embargo in accordance with resolution 311 (1972).

173. Mr. SCALI (United States of America): On behalf of my Government, I have voted "no" on draft resolution S/11713 with grave reluctance and concern. The power of the permanent members of the Security Council to cast a veto is a right that must be exercised after the most careful and solemn consideration. Indeed, this occasion marks only the seventh time in the 29-year history of the United Nations that the United States has found it necessary to do so.

174. But my Government believes that the situation in Namibia, however illegal, however unacceptable to the international community, does not constitute a threat to international peace and security. We recognize that many of the States represented around the Council table have a different view. But we are obliged to make our own careful estimate of the condi-

tions which we believe to exist and to act accordingly within the Charter of the United Nations, which all of us have pledged to uphold.

175. As I said on behalf of the United States in my opening statement on 3 June [1825th meeting], we cannot accept the view that there exists a threat to the peace in Namibia in a situation where the wrongdoer, South Africa, has offered to enter into discussions, even if on terms not entirely to our liking, with the organized international community on the objective of self-determination for Namibia.

176. The United States wishes to draw attention to the praiseworthy efforts of several members of the Council in seeking to draft a resolution which all members could have supported. These delegations sought over many hours to point the way for the Council to adopt practical measures to advance the struggle for freedom and justice in Namibia. The goal of a resolution which, unhappily, never was tabled could, in our view, have led to visible progress rather than a debate ending in dispute and deadlock.

177. My delegation is gravely disappointed that these serious efforts to find an acceptable middle way have failed. In this situation we feel compelled to ask: who will benefit from the inability of the Council to take the effective action which would have been possible today? Once again, in contrast to the usefulness of the Council's unanimity in the case of resolution 366 (1974), we have today yielded to the lure of rhetoric, which should never be mistaken for effective action in the real world. Who will find comfort in the failure of the Council? Certainly not the United States, which has a long record of working for universal recognition that Namibia is a serious, solemn international responsibility. As I said in my inaugural speech, the United States for 12 long years has followed a policy of banning all arms and military supplies to South Africa. We have done so voluntarily, as a matter of principle—deliberately—to avoid encouraging Pretoria to think that the United States will sacrifice national principle for military or financial gain. We will continue to uphold principle. We pray we have not lost momentum in the struggle for freedom and justice in southern Africa.

178. Mr. WILLS (Guyana): The Guyana delegation of course voted in favour of the draft resolution. We did so not merely because we were one of the sponsors, but because we felt that in principle it was the kind of thing we could support. It did not meet all our expectations, but we felt that it was a limited enough objective to enable us to support this kind of resolution.

179. I have been advised, and I recollect, that this is the second time that a triple veto has been passed in this chamber. If that is indeed so, it is rather significant that it is the racists in Pretoria who have caused such a situation.

180. I am aware that we are not in a position to make—indeed we do not have to make—forays into casuistry or to indulge in any kind of mental calisthenics. We should like to express our thanks to those delegations that supported the draft resolution and in that way positively identified themselves with the aspirations of the non-aligned members of the Council on the question of Namibia.

181. Some delegations that voted in favour of the draft resolution have served in the Council for some time, and their consistent positions on the question of Namibia, as manifested over the years, have been confirmed by their actions today. We wish to thank those delegations for their support. And I wish to express special thanks to the delegation of Sweden, which, under very trying and very difficult circumstances, maintained throughout a position of principle that is admirable in the extreme.

182. For the past few days the non-aligned countries in the Security Council, among which Guyana has the honour to be numbered, have been engaged in long and arduous informal consultations in an effort to reach a consensus among the members of the Council on a decision in relation to Namibia. Unfortunately such efforts have not been successful, and we deeply regret that. But on the basis of those consultations and in the light of the position of some members that emerged during the course of the debate, my delegation believes that the Council was frustrated from taking what we would term a correct decision because of a lack of political will and an abdication of international responsibility.

183. It is indeed strange that arguments based on a legal interpretation of the Charter were the rocks on which our efforts foundered. It is in fact one of the sorry chapters in the history of Namibia that legalism and the use of law as a question of political tactics run through the whole history of our attempts to give the Namibian people the right of self-determination.

184. I say “strange” because such arguments about law did not seem to prevent those very members who now advance the arguments from using them in 1965, when the question of sanctions against Rhodesia was considered in this chamber. We can see no legal difference—at least no significant legal difference—between the situation in Rhodesia in 1965 and the situation in Namibia in 1975.

185. Those who have been privileged to see the Caprivi Strip would find it rather difficult to agree that there is no threat to international peace and security there and that South Africa is not the author of that threat—and it is indeed a serious threat.

186. Put simply, those who oppose the draft resolution, basing their opposition on legal considerations, have in reality exercised their political judgement, to my mind, in favour of South Africa. That is

an ethos peculiar to minorities which often produces results in favour of South Africa. I said in my statement yesterday that “the logic South Africa understands best is the logic of local armaments and international pressure, and we believe that the time has come to intensify both the armed struggle and international pressure” [1828th meeting, para. 118].

187. The actions of some members today have for the time being closed the door of the Security Council’s participation in the intensification of international pressure. But it would be naive for South Africa to take too much comfort from today’s expression of indecision by the Council. For they should be aware that the support given to the people of Namibia, led by SWAPO, in this struggle to recover its freedom and independence grows from day to day—and I am referring to the support from the majority of States Members of the Organization, and even more importantly, from an ever-increasing number of peoples the world over, even among those who did not see fit today to support this draft resolution.

188. It will come as no surprise to my delegation when the implications of the action that the Security Council failed to take today become more widely understood and when expressions of support for the people of Namibia come from unexpected sources.

189. Guyana, for its part, pledges and will continue to pledge its support for the people of Namibia, for SWAPO and for the final liberation of the people of Namibia, until that time when the dark infamy of South African repression recedes from the globe.

190. Mr. de GUIRINGAUD (France) (*interpretation from French*): The delegation of France has taken an active part in this debate, to which it could not remain indifferent in view of its interest in and sympathy for the just cause of Namibia, as I have already said. That is why, after having clearly taken note of the deficiencies and ambiguities in the South African declarations, it attempted, along with other delegations, to seek means by which the Security Council could promote some progress towards a settlement of this question. It had many contacts with the representatives of other groups, in the hope of reaching realistic solutions. In particular, it sought to determine what benefit could be derived from the establishment in Dar es Salaam of a committee entrusted with following up the question of Namibia, and from Mr. Vorster’s offer to meet with the representatives of that committee.

191. Those efforts, on which the representative of the United Kingdom gave some details during his statement this afternoon, were regrettably in vain. The draft resolution on which the Council has just voted could not receive our support and, to our great regret, we had to oppose its adoption. That text, indeed, contains a number of condemnations and demands which, although justified for the most part,

are likely to strengthen South Africa's negative attitude rather than open the way to the flexibility for which we still had reason to hope.

192. France, for its part, will not stop exerting pressure on the Government of Pretoria in the direction we all desire. It has stressed to that Government the need rapidly to achieve a peaceful settlement to the problem of Namibia. Moreover, it has recently been reaffirmed by the President of the Republic that it will in no way infringe on the cause of the freedom and the right of that people to self-determination, and it has prohibited any sale of weapons to South Africa which would be contrary to its fundamental principles.

193. Our main reason for divergence with the sponsors of the draft resolution—I wish to stress this—related to the question of knowing whether there exists in Namibia a threat to international peace and security. As I have already said, there is a serious difference here due to the persistent lack of understanding that has prompted South Africa to eschew the necessary dialogue. Nonetheless we should not confuse the chapters of the Charter by introducing, without sufficient reason, the concept of international peace and security. We do not think that concept is now jeopardized or involved in the circumstances prevailing in Namibia. I said that in my first statement in this debate [1824th meeting]. The introduction of a contrary affirmation in the draft resolution that was submitted to us compelled us to reject that text.

194. We condemn without reservation South Africa's attitude and its delaying tactics in the case of Namibia, but it is continuity and unanimity of pressure which seem to us the best means of prompting the South African leaders to abide by the duties incumbent upon them.

195. I can assure the Council that so far as it is concerned my Government will continue tirelessly to impress upon the South African authorities the urgent necessity to practice in South Africa a policy of positive and good neighbourly relations and also to fulfil the commitments it has undertaken vis-à-vis the Namibian people.

196. Mr. SALIM (United Republic of Tanzania): I had not really desired to speak, but the triple veto and the explanations made by our colleagues before and after the voting in an attempt to rationalize the second major defence of South Africa on the part of the three permanent members of the Security Council compel me to speak.

197. To say that we are disappointed would be a serious understatement. Yet we were not surprised, because the threat of a triple veto, or, if you wish, a *troika* veto, loomed large over our shoulders the moment we started our debate on this crucial item and during the consultations we had with many of our colleagues.

198. I should emphasize that the consultations were extensive as well as protracted, and while we are very thankful to our colleagues for the courtesy they have displayed towards us in the exchanges we have had with them, I must be candid and say that we are disappointed by their basic approaches as regards the substance and the requirements of the situation.

199. Now, am I really going to condemn them for their abuse of their responsibilities under the Charter? I shall not do such a thing. As I said in the General Assembly last year, when I spoke as the Chairman of the African Group³ expressing Africa's dismay at the scandalous *troika* veto which saved South Africa's membership in the Organization, we are prepared to let history and world public opinion be the judges of their actions and, above all, to let the American people, the British people and the French people see how this action of their Governments in defence of South Africa measures with the great traditions and histories of their respective countries.

200. Thus, while I do not wish to be a judge of the tripartite alliance to shield South Africa's intransigence, I must at least make our position clear with regard to what has been said in the Council.

201. First of all, I cannot resist the temptation to make a curious observation. I understand the French opposition to the arms embargo. For, firmly opposed as we are to that Government's continued commerce in arms and weapons, arms which escalate tension in southern Africa, arms which encourage south Africans to be intransigent and arrogant, arms which above all effectively contribute to the repression of our brothers both in South Africa and in Namibia, we recognize the fact that France still sees fit to supply South Africa with arms. I have here the latest Reuters dispatch, dated 5 June, and with the Council's patience and indulgence I should like to quote from it. It says:

"South Africa wants to buy more submarines from France, French officials said today.

"Negotiations for the purchase of three of France's new 1,200-ton attack submarines of the Agosta class are nearing completion, they said.

"The South African navy has already three Daphne-class submarines built in the French Dubigeon-Normandie shipyards at Nantes. They are the deep-diving submarines *Maria van Riebeeck*, *Emily Hobhouse* and *Johanna van der Merwe*, each of 850 tons.

"The new Agosta submarines could be delivered towards the end of 1978 or early 1979, a spokesman for Dubigeon-Normandie said.

"South Africa is one of France's best arms clients. The South African Air Force already has

more than 50 French-built Mirage III fighter bombers in service and has just received its first squadron of France's latest combat aircraft, the Mirage F-1.

"The South African army is equipped with French AMX-30 tanks and Cactus ground-to-air missiles."

Of course, we do not accept the French explanation that there are arms that can be used for external defence and arms that can be used for internal repression. I believe the representative of France would be the first one to agree that we have never accepted that explanation.

202. Thus we find the French veto consistent with France's current policy on the question of an arms embargo. So while we are disappointed by their action, as we are with their policies concerning the continued sale of arms to South Africa, we must at least give them credit for being consistent, systematic and logical. But what of Britain and the United States? Why are they opposed to a mandatory arms embargo, if, as they have told us, and we have no reason to doubt their words, they are in fact not supplying arms to South Africa?

203. I remember some time ago a respected British paper, a daily paper, complaining bitterly that the British were always put in the dock by the Africans for their policies on southern Africa. It was then asserted by this paper that France has been able to get away with anything and has had little criticism while continuing to supply arms to South Africa. Now without giving any judgement as to the merits or demerits, the accuracy or validity of this paper, I wonder how they would interpret the British veto, particularly when it relates to a mandatory arms embargo.

204. It is perhaps equally important to restate our position with regard to the determination by the Security Council that the situation in Namibia constitutes a threat to international peace and security. We in Africa know the dangers that are inherent in the current situation there. We believe that the continued illegal occupation constitutes a real threat to international peace and security. We do not for one moment consider it necessary to have an international conflagration before the Security Council can be convinced of the danger of the situation. We are therefore astonished by the evaluation of those who fail to recognize this clear danger. We are even more astonished, and we find it all the more disturbing, that in the process of our consultations and in the process of our negotiations, our colleagues, the Western permanent members of the Council, refused even to accept a formulation that would have stated that the illegal occupation of Namibia by South Africa, if allowed to continue, could create a threat to international peace and security.

205. Reference has also been made by our British colleague to the developments in Rhodesia and

Namibia, and the linkage between these two developments. Yet the analysis as presented by the representative of the United Kingdom seems to my delegation to suffer from a number of serious omissions and in fact in some cases some flaws. And so perhaps it may be useful, for the benefit of the Council, to understand our position with respect to what is happening in southern Africa.

206. First, let me state categorically that the changes that have taken place and are taking place in southern Africa, and which have made the Lusaka discussions possible, have been due to the triumph of the freedom fighters, principally in the Portuguese-dominated Territories. It is their sacrifice, their resilience, which brought them that victory and which has radically changed the geopolitical situation in southern Africa.

207. Secondly, we also must not ignore the sacrifice and the contribution made by the liberation movement in Zimbabwe in creating the necessary atmosphere. It is not therefore, and it could not under any stretch of the imagination be considered that the situation in southern Africa is a result of a change of heart on the part of the racists. But they are realists and they see the handwriting on the wall.

208. Africa—I do not want to be presumptuous and speak on behalf of Africa, but I speak on behalf of Africa only to the extent of quoting what the OAU said at its Ninth Extraordinary Session, held in Dar es Salaam from 7 to 10 April 1975. It made it clear that it desires a peaceful change if that peaceful change were possible. But this preparedness on the part of Africa to negotiate should not be misconstrued for weakness or be misconstrued for preparedness to capitulate.

209. Africans, like the rest of the international community, cannot and will not accept dictates from Mr. Vorster. To pretend that Mr. Vorster, in his cynical and basically negative reply to the Council [*see S/11701*], provides a basis for discussion, may create just the opposite impression.

210. Thirdly, while we desire rapid changes in Rhodesia, it must be understood by all, friends and foes alike, that the need for change in Rhodesia cannot be used, should not be used, and can never be used to compromise the rights of the Namibians. We desire the complete liberation of both Zimbabwe and Namibia.

211. Finally—and this is crucial—we believe that the peaceful efforts that are made in southern Africa to find a solution on Rhodesia can be effectively assisted by a decisive international action. Equivocation on the part of the Council, for example, can only hinder, rather than assist, the progress towards a solution to the problem. There can be no better authorities for this than the representatives of the exploited people themselves.

212. Bishop Muzorewa, President of the African National Council of Zimbabwe; Reverend Ndabangi Sithole; Mr. Joshua Nkomo—all legitimate spokesmen of their people, recognized as such by the OAU and accepted as such by the overwhelming majority of the international community—told the Special Committee of 24⁴ at its 998th meeting on 9 May last that only effective measures by the international community can help their struggle there.

213. Our friends of the United Kingdom, who have miserably failed in their responsibilities as an administering Power, should bear this in mind. We expected and still expect them to take firm positions. We certainly did not and do not expect them to rationalize their failure to act in concert with what we consider are reasonable demands meeting the requirements of the situation.

214. We have no quarrel with the assertion made by the representative of the United Kingdom, Mr. Richard, that it would have been most timely to have the weight of the Council to bear on the South African régime. In fact, the sponsors of the draft resolution painstakingly attempted to achieve just that. And I think that all those involved in these negotiations, including our colleagues the three permanent members, would at least accept that if the non-aligned countries have been lacking in anything, they have never been lacking in an attempt to compromise and in an attempt to negotiate with them.

215. But we found, to our regret, that what was being advocated was not so much a collective meaningful pressure, but merely circumlocutory verbiage whose ultimate result would simply have provided the South Africans with the satisfaction that in fact their negative postures have been met with, to say the least, confusion among our own ranks and inaction by the Security Council.

216. For the worst that the Council can do is to demonstrate to the South Africans that its resolutions, even those adopted with unprecedented unanimity, are indeed paper tigers and can be treated contemptuously as such. And how else could South Africa treat the Council if, as it would have been the case had we followed the course of action advocated by our British colleague, we had acted as if we were satisfied with the response made by the Vorster régime with regard to resolution 366 (1974).

217. What sort of collective weight can we talk of if the Security Council is unable to follow logically its own decisions? What is the point of making high-sounding solemn declarations? What is the point of taking unanimous decisions and such other resolutions if members of the Council themselves fail to live up to the expectations of their own decisions?

218. Paragraph 6 of resolution 366 (1974) specifically stipulated that if South Africa failed to comply with the

provisions of that resolution, the Council would consider: "the appropriate measures to be taken under the Charter of the United Nations".

We ask our colleagues, particularly those who have vetoed the draft resolution: What are those measures? They have all accepted, in one form or another, perhaps with differing points of emphasis, that South Africa has not complied with the provisions of resolution 366 (1974). Logic demands that because of this failure, the Council then should have proceeded to take the appropriate measures that it undertook to take. However, instead of following this logic, we are told we should not be unrealistic; we are told that we should explore the minutest indications of the potential for changes—supposedly for fundamental changes.

219. Who is being judged here: the members of the Security Council or South Africa? Listening to some of the statements, one may even forget that South Africa is treating the Organization with absolute contempt, that it is illegally occupying Namibia, an international Territory, that it is violating every norm of international law and conduct.

220. Certainly we are not so blind as not to remember the lessons of history. Capitulation to or appeasement of the aggressor has never paid rich dividends. Have we still to learn from the tragic consequences of Munich? South Africa still categorically refuses to accept the authority of the United Nations; it treats the Organization and many of its resolutions and decisions, of both the General Assembly and the Security Council—some of which, as I said, have been adopted unanimously—with characteristic arrogance and negativism.

221. South Africa does not recognize the Organization's authority, but we are told, *ad nauseam*, that we should jump to South Africa's generosity and to its dictates; we should be grateful that it is prepared to meet the African—and South Africa, with characteristic cynicism, spells it out—the African Chairman of the United Nations Council for Namibia; we should be grateful that the special committee of the OAU could have access to the Bantustan leaders and perhaps take a holiday trip to Namibia.

222. Why should the Organization be prepared to bend over backwards to accommodate Vorster when he does not show any inclination to reciprocate that accommodation? How can we seriously justify to the people of Namibia, to the people of Africa and to the world community such obvious attempts at succumbing to Mr. Vorster's whims and dictates?

223. We must be serious. The Council will only have the weight which has been alluded to by my colleague of the United Kingdom if people throughout the world believe in its policies and actions—and, above all, believe in its credibility. There is no weight

without credibility, and we are convinced that the erosion of the Council's credibility on the flimsy excuse of maintaining an air of superficial consensus based on false premises will only do more harm to the cause of Namibia and to the cause of decolonization, be it rapid or otherwise.

224. I cannot conclude my statement without expressing our thanks to all those who have voted for the draft resolution. But I want, in the name of my Government and our people, to single out the delegation of Sweden and to pay public tribute to the role it played in the negotiations and to the positive vote it cast. I do so in the clear knowledge that, even when it became difficult for us to entertain some of the demands it made, it went along, convinced as it is, of the justness of our cause. I am sure that Sweden, by its vote, has lived up to the expectations of the African people and to the long and traditional friendship that it has with all the African countries, including my own.

225. In his statement before the Council, my Minister for Foreign Affairs [1826th meeting] said that whatever action the Council takes or fails to take, the struggle in Namibia, under the leadership of SWAPO, will continue, and will continue to receive the crucial and decisive support of the OAU and all friends of Africa. We had hoped that action by the Council would help the escalation towards freedom, justice and peace with the minimum sacrifice. Inaction can only lead to another type of escalation—that is, towards violence and greater sacrifices.

226. But the Namibians have no alternative: they will continue to meet the repressive violence of the South African régime with their resistance. We have hoped that the Council would help the process towards independence. As it is, the Council has disappointed millions in Africa, and in particular the Namibians. We believe that the permanent members of the Council should ponder this. Thus Mr. Scali's question [see para. 177 above] as to who has gained in this situation appears to us to have been very rhetorical. He and his colleagues of France and the United Kingdom should, and must, provide the answer.

227. The PRESIDENT: I call on the representative of the United Kingdom, who has asked to speak in exercise of his right of reply.

228. Mr. RICHARD (United Kingdom): May I say I had not intended to speak after having spoken once and at some length this afternoon. Indeed, had it not been for certain comments made by the representative of Tanzania, I would not have done so.

229. The speech that he has just made was based upon three propositions. The first proposition is that there has been total non-compliance by the South African Government—I emphasize the word "total"—with the terms of resolution 366 (1974). At length this

afternoon I set out why we, at any rate, do not accept the totality of that proposition.

230. Secondly, underlying his whole argument is the proposition that if there has been non-compliance by South Africa with a resolution of the Security Council, that automatically makes the situation one in which there is a threat to international peace and security within the terms of Chapter VII of the Charter. That is not a proposition that I accept, and may I say in parentheses that when the representative of Tanzania says that my delegation rejected the proposition that it could amount to a threat to international peace and security, I fear that the somewhat hectic period that we have been going through this week and the details of the consultations that we have all been undertaking have perhaps made my colleague and friend's memory slightly inaccurate.

231. The proposition that was put to us, which we rejected, and which I have just rejected, was not that it could, but that it would. The proposition that it could, as I am sure all of us who took part in these negotiations know, was not a proposition which was ever presented to me, nor, as far as I know, was it presented to any of the other Western members. But, in any event, I do not accept, as a matter of interpretation and of law—and this is a proposition which is nothing new; it is one which my country and various other countries have accepted for many years—that non-compliance necessarily equates with a threat to international peace and security.

232. The third proposition that underlies a large part of what the representative of Tanzania has said is that, leaving aside all the legalities, to move into Chapter VII at this moment—because that is what this resolution does, and does in specific, not implicit, terms—to move into Chapter VII at this moment is the best way of putting effective pressure on the South African Government and is the best way of moving forward. I must say to him that it seems to us—and this is something that I said this afternoon and which I should have thought had emerged from everything I have tried to do this week—that it is inappropriate, at a time when the South African Government has made certain offers, at a time when it has offered certain contacts, it is quite inappropriate to take a step as drastic and as far-reaching as the one he is advocating without first trying to ensure whether those contacts can produce anything or indeed whether those statements mean anything.

233. I do not wish to bandy words with the representative of Tanzania and I do not wish to enter into an attempt to rebut some of the verbal assaults that he saw fit to make upon my country and upon the other Western permanent members. I would only say this to him. I have done him and his colleagues in the Security Council the courtesy of assuming that in all their negotiations they were motivated by good faith and by what they believed to be in the best

interests of the people of Namibia. I should have hoped that by now the representative of Tanzania would know me well enough to accept that my motives were the same.

234. The PRESIDENT: The representative of Tanzania has asked for the floor.

235. Mr. SALIM (United Republic of Tanzania): First, perhaps I should also say that I had not intended to make a further statement. It is the statement made by the United Kingdom representative which compels me to reply. Secondly, I have never doubted his motives. I have questioned his actions. If I might expound on that, I have questioned his actions and I have questioned that the result of his actions would be anything but totally negative in regard to the situation in the area. Thirdly, I have never argued that the Council should consider the situation in the area as posing a threat to international peace and security simply because South Africa has failed to comply with the resolutions of the United Nations. My position has been that the situation in Namibia as it poses a threat to international peace and security. So the element of compliance or non-compliance with the resolutions simply adds to the situation, to the display of intransigence and arrogance by South Africa and to the desire of the Council to take action.

236. Furthermore, I should also say that paragraph 6 of resolution 366 (1974) reads as follows:

“Decides to remain seized of the matter and to meet on or before 30 May 1975 for the purpose of reviewing South Africa’s compliance with the terms of the present resolution and, in the event of non-compliance by South Africa, for the purpose of considering the appropriate measures to be taken....”

I never knew that there was a phrase added to that: “in the event of total non-compliance”.

237. Finally, I should like to say that if there has been a misunderstanding in the process of consultations, I can assure the representative of the United Kingdom that it is not because of fatigue. I have a problem of understanding English at times, since it is not my mother tongue, but I should frankly and emphatically say that at one point in the discussion—not so much what is contained in the resolution—I thought I had said “What about the Rhodesian formula?”. This is a point I raised in the process of private consultations, but anyway what went on in the private consultations should not really be a basis for substantive debate at this point.

238. I want to conclude my statement by saying once again that we are really disappointed by the approach that the three permanent members of the Council have taken. We have tried—and I say this in absolute sincerity—in the process of negotiation, we have done our level best, to accommodate some of the reservations, but of course it takes two to make a compromise. We have been making the compromises. I do not think the Western permanent members made sufficient compromise to warrant our changing our position.

The meeting rose at 7.55 p.m.

Notes

¹ *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.*

² A/AC.115/L.508.

³ See *Official Records of the General Assembly, Twenty-ninth Session, Plenary Meetings, 2281st meeting.*

⁴ Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.