

Sudan²² to extend an invitation to Mr. Peter Muesihange, under rule 39 of the provisional rules of procedure of the Security Council.

Resolution 323 (1972)
of 6 December 1972

The Security Council,

Recalling, its resolutions 309 (1972) of 4 February 1972 and 319 (1972) of 1 August 1972, and without prejudice to other resolutions adopted on the question of Namibia,

Reaffirming the special responsibility and obligation of the United Nations towards the people and Territory of Namibia,

Recalling the advisory opinion of the International Court of Justice of 21 June 1971,²³

Reaffirming the inalienable and imprescriptible right of the people of Namibia to self-determination and independence,

Affirming that the principle of the national unity and territorial integrity of Namibia cannot be subject to any conditions,

Having considered the report submitted by the Secretary-General²⁴ in accordance with resolution 319 (1972),

1. *Observes with satisfaction* that the people of Namibia have again had an opportunity of expressing their aspirations clearly and unequivocally, in their own Territory, to representatives of the United Nations;

2. *Notes with interest* that the overwhelming majority of the opinions of those consulted by the representative of the Secretary-General categorically stated, *inter alia* that they were in favour of the immediate abolition of the "homelands" policy, withdrawal of the South African administration from the Territory, Namibia's

accession to national independence and the preservation of its territorial integrity, thus further confirming the consistently held position of the United Nations on this question;

3. *Deeply regrets* that there has been no complete and unequivocal clarification of the policy of the Government of South Africa regarding self-determination and independence for Namibia;

4. *Solemnly reaffirms* the inalienable and imprescriptible right of the people of Namibia to self-determination, national independence and the preservation of their territorial integrity, on which any solution for Namibia must be based, and rejects any interpretation, measure or policy to the contrary;

5. *Invites* the Secretary-General, on the basis of paragraph 4 above, to continue his valuable efforts, in consultation and close co-operation with the group of the Security Council established in accordance with resolution 309 (1972) and, as appropriate, with the assistance of representatives, to ensure that the people of Namibia, freely and with strict regard to the principle of human equality, exercise their right to self-determination and independence, in accordance with the Charter of the United Nations;

6. *Again calls upon* the Government of South Africa to co-operate fully with the Secretary-General in the implementation of the present resolution in order to bring about a peaceful transfer of power in Namibia;

7. *Requests* the other parties concerned to continue to extend their valuable co-operation to the Secretary-General with a view to assisting him in the implementation of the present resolution;

8. *Decides* that, immediately following the partial renewal of the membership of the Security Council on 1 January 1973, the Council shall appoint representatives to fill the vacancies that will occur in the group established in accordance with resolution 309 (1972);

9. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution as soon as possible and not later than 30 April 1973.

Adopted at the 1682nd meeting by 13 votes to none, with 1 abstention (Union of Soviet Socialist Republics).²⁵

²² *Ibid.*, document S/10841.

²³ *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.*

²⁴ *Official Records of the Security Council, Twenty-seventh Year, Supplement for October, November and December 1972, document S/10832.*

²⁵ One member (China) did not participate in the voting.