

At the same meeting, the Council also decided, at the request of the representatives of Togo, Zaire and Zimbabwe,<sup>48</sup> to extend an invitation to Mr. Johnstone F. Makatini under rule 39 of the provisional rules of procedure.

At its 2486th meeting, on 25 October 1983, the Council decided to invite the representatives of Argentina, Bulgaria and the Syrian Arab Republic to participate, without vote, in the discussion of the question.

At its 2488th meeting, on 26 October 1983, the Council decided to invite the representatives of Hungary, the Islamic Republic of Iran, Peru and the Sudan to participate, without vote, in the discussion of the question.

At its 2490th meeting, on 27 October 1983, the Council decided to invite the representatives of Turkey and Uganda to participate, without vote, in the discussion of the question.

### **Resolution 539 (1983)**

**of 28 October 1983**

*The Security Council,*

*Having considered* the report of the Secretary-General of 29 August 1983,<sup>49</sup>

*Recalling* General Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966,

*Recalling and reaffirming* its resolutions 301 (1971), 385 (1976), 431 (1978), 432 (1978), 435 (1978), 439 (1978) and 532 (1983),

*Gravely concerned* at South Africa's continued illegal occupation of Namibia,

*Gravely concerned also* at the tension and instability prevailing in southern Africa and the mounting threat to the security of the region and its wider implications for international peace and security resulting from continued utilization of Namibia as a springboard for attacks against and destabilization of African States in the region,

*Reaffirming* the legal responsibility of the United Nations over Namibia and the primary responsibility

<sup>48</sup> Document S/16064, incorporated in the record of the 2485th meeting.

<sup>49</sup> *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983, document S/15943.*

of the Security Council for ensuring the implementation of its resolutions, in particular, resolutions 385 (1976) and 435 (1978), which call for the holding of free and fair elections in the Territory under the supervision and control of the United Nations,

*Indignant* that South Africa's insistence on an irrelevant and extraneous issue of "linkage" has obstructed the implementation of resolution 435 (1978),

1. *Condemns* South Africa for its continued illegal occupation of Namibia in flagrant defiance of resolutions of the General Assembly and decisions of the Security Council;

2. *Further condemns* South Africa for its obstruction of the implementation of Security Council resolution 435 (1978) by insisting on conditions contrary to the provisions of the United Nations plan for the independence of Namibia;

3. *Rejects* South Africa's insistence on linking the independence of Namibia to irrelevant and extraneous issues as incompatible with resolution 435 (1978), other decisions of the Security Council and the resolutions of the General Assembly on Namibia, including General Assembly resolution 1514 (XV);

4. *Declares* that the independence of Namibia cannot be held hostage to the resolution of issues that are alien to resolution 435 (1978);

5. *Reiterates* that resolution 435 (1978), embodying the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement of the Namibian problem;

6. *Takes note* that the consultations undertaken by the Secretary-General pursuant to paragraph 5 of resolution 532 (1983) have confirmed that all the outstanding issues relevant to resolution 435 (1978) have been resolved;

7. *Affirms* that the electoral system to be used for the elections of the Constituent Assembly should be determined prior to the adoption by the Council of the enabling resolution for the implementation of the United Nations plan;

8. *Calls upon* South Africa to co-operate with the Secretary-General forthwith and to communicate to him its choice of the electoral system in order to facilitate the immediate and unconditional implementation of the United Nations plan embodied in resolution 435 (1978);

9. *Requests* the Secretary-General to report to the Council on the implementation of this resolution as soon as possible and not later than 31 December 1983;

10. *Decides* to remain actively seized of the matter and to meet as soon as possible following the Secretary-General's report for the purpose of reviewing progress in the implementation of resolution 435 (1978) and, in the event of continued obstruction by South Africa, to consider the adoption of appropriate measures under the Charter of the United Nations.

*Adopted at the 2492nd meeting by 14 votes to none, with 1 abstention (United States of America).*