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QUESTION OF NAMIBIA

SECURITY COUNCIL
Thirty-fifth year

Letter dated 9 June 1980 from the President of the United
Nations Council for Namibia to the Secretary-General

I have the honour to transmit to you the text of the Algiers Declaration and Programme of Action adopted by the United Nations Council for Namibia at its 328th meeting, held at Algiers on 1 June 1980.

In conformity with the decision of the Council taken at the same meeting, I should like to request that the Algiers Declaration and Programme of Action be circulated as an official document of the General Assembly, under item 27 of the preliminary list, and of the Security Council.

(Signed) Paul J. F. LUSAKA
President
of the United Nations Council for Namibia

* A/35/50.

ANNEX

Algiers Declaration and Programme of Action on Namibia

I. DECLARATION

1. The United Nations Council for Namibia held a series of extraordinary plenary meetings at Algiers from 28 May to 1 June 1980. The meetings were held in accordance with General Assembly resolution 34/92 A of 12 December 1979 in order to carry out an appraisal of the critical situation in Namibia resulting from the continued illegal occupation of the Territory by South Africa and a review of the current efforts of the United Nations to implement the resolutions of the Security Council, in particular, resolutions 385 (1976) and 435 (1978). Such an appraisal assumed greater urgency in view of the insidious schemes of South Africa aimed at installing a neo-colonial puppet régime in Namibia, to the total exclusion of the South West Africa People's Organization (SWAPO), which is recognized by the United Nations General Assembly as the sole and authentic representative of the people of Namibia and is a respected member of the international community.

2. Inaugurating the extraordinary plenary meetings of the Council, His Excellency Mr. Mohamed Seddik Benyahia, Minister for Foreign Affairs of Algeria, stated:

"... The people of Namibia have a right to expect, at this critical stage for Namibia's future, that the international community will render it decisive moral and material support ... On this African soil which today hosts your Council, the Algerian people, who until only recently were oppressed and exploited, cannot but display their firm solidarity with the people of Namibia as they have done in the past with regard to the genuine initiatives aimed at the liberation of peoples. Having won its independence after a long armed struggle of national liberation, Algeria appreciates the exemplary nature of SWAPO's struggle for the emancipation of Namibia and its rejection of the barbarous practice of apartheid. The very history of decolonization has shown that liberation can be born only out of peoples' own struggle. Independence has always been won by violent actions and many-sided struggles against totalitarian régimes which had denied the very existence of freedom or based social order on so-called racial superiority."

3. Greeting the Council on the occasion, the Secretary-General of the United Nations said in a message:

"The Council has fully succeeded in presenting to the international community the nature of the problems at stake in Namibia ... The choice (in Namibia) is clearly between a conflict which risks daily escalation or the rapid transfer of power to the people of Namibia on the basis of free and fair elections under the supervision and control of the United Nations."

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4. In the weeks preceding its extraordinary plenary meetings, the Council sent missions of consultation to Australia, Barbados, Canada, Cuba, Ecuador, France, Germany, Federal Republic of, Guyana, Jamaica, Mexico, New Zealand, Panama, Trinidad and Tobago, the United Kingdom and the United States. The missions held consultations and exchanged views at the highest possible political level in order to identify ways in which efforts could be intensified to secure implementation of the resolutions of the General Assembly and the Security Council designed to ensure the speedy independence of Namibia. Another mission of the Council is expected to leave at the conclusion of these extraordinary plenary meetings for similar consultations with the Governments of the Libyan Arab Jamahiriya, Kuwait and Iraq.

5. The Council considers that its extraordinary plenary meetings at Algiers, coming in the wake of the independence of Zimbabwe, have marked a new stage in the struggle for the independence of Namibia at a time when colonialism and racism are making desperate attempts to prevent their final disappearance from the face of the earth. It hails the victory of the Patriotic Front forces in Zimbabwe as the victory of all the liberation forces in southern Africa, one which has provided a powerful inspiration to the oppressed people of South Africa and laid the foundations for the early independence of Namibia.

6. The General Assembly, in its resolution 2145 (XXI) of 27 October 1966, declared Namibia a direct responsibility of the United Nations. In its resolution 2248 (S-V) it established the Council with the responsibility of administering the Territory until independence. Despite the consistent efforts undertaken by the United Nations since that date, the aspirations of the Namibian people for self-determination, freedom and national independence remain unfulfilled. South Africa has continuously defied all demands of the General Assembly and the Security Council to withdraw its illegal administration from the Territory and allow the Namibian people to achieve self-determination, freedom and national independence in a united Namibia on the basis of free and fair elections under United Nations supervision and control. The refusal of South Africa to comply with the resolutions of the United Nations on the question of Namibia constitutes a grave challenge to the authority of the United Nations.

7. In view of the background of South Africa's continued illegal occupation of Namibia and its persistent refusal to co-operate with the United Nations in efforts designed to terminate peacefully that occupation, the people of Namibia have had to resort to armed struggle to protect their national integrity and to strive for the liberation of their country, under the leadership of SWAPO, their sole and authentic representative. As a result of that intensification, heavy losses in personnel and equipment have been inflicted on the South African army and its morale is being constantly undermined by the heroic stand of the Namibian patriots leading to cases of desertion, refusal of service and conscientious objection.

8. Namibian patriots today, therefore, face a ruthless escalation of the brutal and repressive actions by which the colonialist and racist illegal administration

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of South Africa intends to perpetuate its exploitation of the people and resources of Namibia. The Namibian people are being subjected to constant harassment, detention and inhuman practices as well as to massive displacement of communities, to serve the military objectives of the illegal occupation régime. Mercenaries are being constantly recruited to participate in the genocidal violence unleashed by the racist exploiters in an attempt to break the spirit of Namibian patriots conducting a courageous war of national liberation in the Territory. Members and supporters of SWAPO are being jailed, tortured and killed for resisting racist oppression and exploitation in their country. The illegal South African occupation régime continues to increase its militarization of the Territory, where it maintains over 70,000 troops and a continuously expanding number of military bases. South Africa has also attempted to increase its intimidation of independent African countries through the development of a nuclear weapons capability which further threatens international peace and security.

9. The Council strongly condemns the continuous and systematic aggression which has been committed by the racist régime of South Africa against both Zambia and Angola, the latest instance being the armed aggression against Angola on Sunday, 25 May 1980, resulting in substantial destruction of property and the loss of over 200 Angolan lives.

10. At the same time that the Pretoria régime is unleashing this reign of terror and death against SWAPO and against neighbouring African States, it is engaged in a number of manoeuvres whose undisputed purpose is the creation of administrative structures controlled by neo-colonialist puppets under an entity which would be masquerading as an independent government but which would, in fact, be a tool of Pretoria's expansionist and exploitative designs in southern Africa.

11. These manoeuvres are being relentlessly and determinedly carried out by South Africa behind the facade of its apparent willingness to negotiate with the United Nations on the implementation of Security Council resolution 435 (1978). South Africa's deliberate prevarication and delaying tactics throughout these negotiations and its most recent response of 12 May 1980 in respect of the proposed establishment of a demilitarized zone between Namibia and Angola and Namibia and Zambia in the context of implementation of that resolution, constitute yet further confirmation of its contempt for the United Nations, its desire to perpetuate its illegal occupation of the Territory, to frustrate the achievement of the legitimate aspirations of the Namibian people to self-determination and national independence and to deceive the international community into acquiescing in these efforts. The Council expresses its deep concern at the most recent response of the South African Government. The Council concludes that the response is a negative step which indicates that South Africa is not prepared to implement the United Nations plan for Namibia.

12. The Council deplores the fact that South Africa's Western collaborators have permitted the pursuit of these insidious manoeuvres by refusing to exert the necessary pressure on the Pretoria régime to comply with the decisions of the United Nations on Namibia. The Council also deplores in the strongest terms the

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fact that these States have continued their collaboration with the racist régime, thus fortifying it in its defiance of the United Nations. This collaboration continues even in the face of South Africa's continued contempt for the settlement plan originally proposed by the Western Powers and accepted by the international community.

13. The Council vehemently condemns the colonialist and racist régime of South Africa for its systematic attempts to perpetuate its illegal cocupation of the Territory of Namibia and to undermine and eliminate SWAPO as the sole and authentic representative of the people of Namibia. The Council also condemns in the strongest terms South Africa's attempts at undermining the unity and the national and territorial integrity of Namibia. In this regard it vigorously condemns South Africa's bantustanization policies, its policy and practice of apartheid, and its unilateral and illegal acts, such as the extension of the territorial sea and the proclamation of an economic zone off the coast of Namibia.

14. The Council declares that Namibia must accede to independence with its territorial integrity intact, including Walvis Bay. The Council unequivocally reaffirms the relevant decisions of the General Assembly and of the Security Council to the effect that Walvis Bay is an integral part of Namibia and that any action by South Africa to separate Walvis Bay from Namibia is illegal, null and void. The Council further reaffirms that the territorial integrity of Namibia is inviolable and that any additional steps which South Africa may undertake in the future to undermine the unity and integrity of Namibia are illegal, null and void.

15. The Council reaffirms its support for SWAPO as the sole and authentic representative of the Namibian people. The Council also commends the herioc people of Namibia, under the leadership of their liberation movement, SWAPO, for having intensified the armed struggle for the liberation of their Territory from South Africa's illegal occupation. At the same time the Council considers it proof of SWAPO's statesmanship and its love of peace that it has displayed sincerity, flexibility and a spirit of accommodation throughout the process of negotiations, and has always expressed readiness to participate in fair and free elections.

16. The Council reaffirms its solidarity with the southern African front-line States which have been forced by South Africa to pay such a high price, both in terms of life and of property, for their devotion to freedom and national independence in the region.

17. The Council reaffirms that the natural resources of Namibia are the inviolable heritage of the Namibian people. The rapid depletion of the natural resources of the Territory as a result of the systematic plunder by foreign economic interests in collusion with the illegal South African administration is a grave threat to the integrity and prosperity of an independent Namibia. In particular, the continuous illegal exploitation of Namibian uranium is to the detriment of Namibia and its people. It was in this context that the Council declared in its Decree No. 1 for the Protection of the Natural Resources of

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Namibia that "no person or entity, whether a body corporate or unincorporated, may search for, prospect for, explore for, take, extract, mine, process, refine, use, sell, export, or distribute any natural resource, whether animal or mineral, situated or found to be situated within the territorial limits of Namibia without the consent and permission of the United Nations Council for Namibia or any person authorized to act on its behalf for the purpose of giving such permission or such consent". a/ The Council underlines the importance of effective implementation of this Decree, which was approved by the General Assembly at its twenty-ninth session, on 13 December 1974 (resolution 3295 (XXIX), sect. IV), and condemns its violations, including the illegal exploitation of Namibia's marine resources in its territorial waters.

18. The Council solemnly reaffirms its unswerving commitment to the service of the Namibian people. The creation of the United Nations Fund for Namibia, the establishment of an indicative planning figure for Namibia in the United Nations Development Programme, the establishment of the United Nations Institute for Namibia at Lusaka, with the support of the Government of Zambia, and the Nationhood Programme for Namibia represent areas of positive benefit for the people of Namibia. In 1980 the Council, with the support of the Government of Angola and the assistance of the International Labour Organisation, is establishing a basic vocational centre to be situated in Angola to contribute to the increase of the productive skills of Namibia.

19. The Council expresses its appreciation for the generous support which Member States have been giving to SWAPO, the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, thus facilitating the expansion of programmes of assistance to the Namibian people.

II. PROGRAMME OF ACTION

20. Having assessed the current situation in Namibia, the Council considers that, in view of South Africa's continued illegal occupation of Namibia, its intransigence as demonstrated most recently by its communication to the Secretary-General dated 12 May 1980 (S/13935), along with its repeated acts of armed aggression against the people of Namibia and the neighbouring African States, the situation in Namibia constitutes a threat to international peace and security. It accordingly adopts the following programme of action in order to ensure South Africa's compliance with the resolutions and decisions of the United Nations on Namibia and to attain the objective of peace in the region.

21. The Council invites the attention of the Security Council to the present critical situation in Namibia and requests it to convene urgently to impose comprehensive and mandatory sanctions on South Africa as provided for under Chapter VII of the Charter of the United Nations.

a/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24 A (A/9624/Add.1), para. 84.

22. The Council calls on the international community to intensify efforts for the complete and effective isolation of South Africa and, in this regard, calls for the exposure to the widest international scrutiny of those foreign economic and other interests whose collaboration with the racist Pretoria régime buttresses the machinery of exploitation in Namibia and contributes to the perpetuation of the subjugation of the people of the Territory.

23. The Council urges all Member States not to recognize any so-called internal settlement of the question of Namibia. Free and fair elections under the supervision and control of the United Nations are an essential prerequisite to any peaceful settlement in Namibia.

24. The Council calls upon the international community to increase all possible support to every plan of action which would enable SWAPO to pursue its strategies in the military, political and diplomatic fields and so disabuse South Africa of any notion that it can rest secure on its alleged military strength.

25. The Council decides to promote every effort for the speedy implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia. Steps will be taken to strengthen the legal basis of Decree No. 1 by clarifying the existing link between the Decree and the relevant resolutions of the Security Council to make it more effective in those countries whose Governments consider it to be a mere recommendation of the General Assembly. The Council will continue to monitor the illegal exploitation of Namibian uranium to reveal to the international community the reckless and destructive actions of South African and other foreign economic interests against the welfare of the Namibian people. As a first step, the Council will conduct hearings on Namibian uranium in July 1980 to determine what further action can be taken by the United Nations to ensure compliance with the decisions of the General Assembly.

26. The Council calls upon the international community, in solidarity with the southern African front-line States which have borne and continue to bear great sacrifices on behalf of the oppressed people of Namibia, to intensify efforts to render as a matter of urgency all support and assistance which would enable them better to exercise their legitimate right of self-defence in respect of South Africa.

27. The Council calls upon the Security Council to declare categorically that Walvis Bay is an integral part of Namibia and that the question should not be left as a matter for negotiation between an independent Namibia and South Africa.

28. The Council will undertake all necessary action to ensure that South Africa's false claims with respect to the Penguin and other islands along the coast of Namibia are declared illegal, null and void by the relevant organs of the United Nations.

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29. The Council, recalling the Maputo Declaration of 1977, b/ recommends that the General Assembly should request the Secretary-General to prepare, in consultation with the President of the Council and in co-operation with the Organization of African Unity, for consideration by the Assembly at its thirty-fifth session, a proposal to convene in 1981 an international conference in support of the struggle of the Namibian people.

30. The Council, mindful of South Africa's communication to the Secretary-General of 12 May 1980, urges the international community to join in a massive campaign of mobilizing international opinion against South Africa and its illegal occupation of Namibia, giving massive public exposure to the Pretoria régime's acts of terrorism against SWAPO members and supporters as well as against neighbouring independent African States and its attempts to undermine SWAPO as the sole and authentic representative of the people of Namibia and to confer legitimacy on its puppets.

31. The Council intends, through the organization of seminars on Namibia and related activities, systematically to expand contacts with non-governmental organizations, journalists, students, trade unions and others, in order to promote the cause of the struggle of the people of Namibia for freedom and independence.

32. The Council decides to counter South Africa's acts to extend illegally, in its own name, the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia. The Council intends to use its own authority to extend the territorial sea of Namibia and to proclaim an exclusive economic zone for Namibia.

33. Against the background of the preceding analysis of the current situation in Namibia, in this final phase of the liberation struggle of the people of Namibia, the Council solemnly renews its commitment to the mandate conferred upon it by the General Assembly and dedicates itself afresh, and with the utmost energy, to fulfilling the terms of that mandate. In this regard, it considers that the Programme of Action represents a commitment to SWAPO and to the people of Namibia, and expresses its determination to continue to explore all possible options which would help to hasten South Africa's withdrawal from Namibia and the recovery by the people of that Territory of their freedom and independence.

b/ A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.